

# JOURNAL OF THE SENATE

Tuesday, April 15, 1941

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Monday, April 14, 1941.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—38.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of Monday, April 14, 1941, was corrected and as corrected was approved.

## REPORTS OF COMMITTEES

Senate Chamber  
April 15, 1941.

Senator Horne, Chairman of the Committee on Finance & Taxation, reported that the Committee had carefully considered the following bill and recommends that the same pass.

Senate Bill No. 7:

A bill to be entitled An Act imposing an additional tax upon gasoline or other like products of petroleum; providing for reports of sales of such commodities to the Comptroller of the State of Florida; providing for the disposition of the moneys derived from such taxes, and the apportionment thereof to the General Revenue Fund of the State, and to the County School Fund; providing that the Gasoline Inspection Laws of the State of Florida shall apply to this Act; prohibiting the levy and collection by municipalities and other political subdivision of gasoline taxes; providing for the enforcement of this Act, and penalties for violation hereof and providing that this Act is an emergency revenue measure and shall be of no force and effect from and after July 1, 1943.

And Senate Bill No. 7, contained in the above report, was placed on the Calendar of Bills on second reading.

Senate Chamber  
April 14, 1941.

Senator Shands, Chairman of the Committee on State Institutions, reported that the Committee had carefully considered the following bill and recommends that the same pass.

Senate Bill No. 24:

A bill to be entitled An Act to designate the General Library of the University of Florida as a State Depository of Public Documents, to provide for furnishing it said documents, and to authorize and instruct it to exchange said documents and to supply certain material to the Law Library of the University of Florida.

And Senate Bill No. 24, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator S. A. Hinely, Chairman of the Committee on Engrossed Bills submitted the following report:

Your Committee on Engrossed Bills, to whom was referred (with amendments) after third reading April 14, 1941.

Senate Bill No. 25:

A bill to be entitled An Act Relating to City and Town Streets and Roads or Portions Thereof, Viaducts and Bridges, That Constitute the Route of Connection Between or Extension of State Roads in the State Highway System; Declaring That Such Serve a State Purpose, Providing for Their Designation by the State Road Department; Authorizing and Requiring the State Road Department to Maintain and Repair Such Streets and Roads Under Its Supervision and Control and to Construct and Reconstruct Such Streets and Roads Under Certain Conditions, and Authorizing it to Exercise Certain Powers with Respect to Same; and Repealing all Laws in Conflict Herewith.

Have carefully examined same, and find same correctly engrossed, and return same herewith,

Very respectfully,

S. A. HINELY,  
Chairman of Committee.

And Senate Bill No. 25, contained in the above report, was certified to the House of Representatives.

## INTRODUCTION OF RESOLUTIONS

By Senators Collins, Folks and Rose—

Senate Concurrent Resolution No. 4:

A RESOLUTION URGING THE CIVIL AERONAUTICS BOARD OF THE UNITED STATES TO GRANT THE APPLICATION OF EASTERN AIR LINES, INC., FOR A CERTIFICATE TO ENGAGE IN TEMPORARY AIR TRANSPORTATION BETWEEN AND THROUGH TALLAHASSEE, OCALA AND ORLANDO, FLORIDA.

WHEREAS, it has come to the attention of the Legislature that Eastern Air Lines, Inc. has made application to the Civil Aeronautics Board of the United States Government for authority of said airline to immediately commence the operation of two round-trip schedules per day in, between and through Tallahassee, Ocala and Orlando, Florida, in such a way as to provide continuous and direct air transportation all the way between Miami West Palm Beach, Vero Beach, Orlando, Ocala Tallahassee and points beyond; and,

WHEREAS direct air transportation of persons, property and mail over the proposed route will greatly facilitate the travel and business of those in central and south Florida who find it both necessary and desirous to travel to and from Tallahassee, the Capital of the State, on official business with a minimum of time away from their respective homes and places of business, especially at this time when the State Legislature is in session; and,

WHEREAS the proposed extension will render to the members of the Legislature of the State of Florida, which convened on April 8, 1941 for a sixty-day session and who will be traveling to and from the State Capitol at Tallahassee in connection with their constitutional duties during said legislative session a greatly needed and desired direct passenger and air mail service.

NOW THEREFORE, BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING:

Section 1. That the Civil Aeronautics Board of the United States Government be and it is hereby respectfully petitioned, urged and requested to promptly grant the pending application of Eastern Air Lines, Inc., for authority to immediately commence the operation of two round-trip schedules per day in, between and through Tallahassee, Ocala and Orlando, Florida, in such a way as to provide continuous and direct air transportation all the way between Miami, West Palm Beach, Vero Beach Orlando, Ocala, Tallahassee and points beyond and return.

Section 2. That upon the adoption of this resolution by both the House of Representatives and the Senate, the Secretary of the Senate shall immediately transmit certified copies thereof to the Civil Aeronautics Board of the United States, the Post Office Department of the United States, United States Senators Charles O. Andrews and Claude Pepper and United States Congressmen from Florida, Lex Green, Pat Cannon, Joe Hendricks, Hardin Peterson and Robert Sikes.

Which was read the first time in full.

Senator Collins moved that the rules be waived and Senate Concurrent Resolution No. 4 be read the second time in full.

Which was agreed to by a two-thirds vote.

And Senate Concurrent Resolution No. 4 was read the second time in full.

The question was put on the adoption of the Concurrent Resolution.

Which was agreed to.

And Senate Concurrent Resolution No. 4 was adopted and the action of the Senate was ordered certified to the

House of Representatives immediately, by waiver of the rules.

By Senator Collins—

Senate Concurrent Resolution No. 5:

A Concurrent Resolution relating to the appointment of a special joint committee to study the revision, compilation, and consolidation of all the central statutes of Florida prepared by the Attorney General pursuant to Chapter 19140, Laws of Florida, Acts of 1939.

WHEREAS, the Legislature of the State of Florida by Chapter 19140, Laws of Florida, Acts of 1939, did authorize and instruct the Attorney General to prepare a complete revision, compilation, and consolidation of all the General Statutes of Florida in force, of a permanent nature, and

WHEREAS, such compilation and revision of such statutes has been substantially prepared by the Attorney General of the State of Florida, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That a Special Joint Committee composed of four members of each body of this Legislature be appointed to inspect and study the compilation of all the General Statutes of Florida, prepared by the Attorney General of the State of Florida under the authority of and pursuant to Chapter 19140, Laws of Florida, Acts of 1939, and that such Joint Committee confer with the Attorney General of the State of Florida on all matters relating to such compilation and consolidation of such General Statutes.

Which was read the first time in full.

Senator Collins moved that the rules be waived and Senate Concurrent Resolution No. 5 be read the second time in full.

Which was agreed to by a two-thirds vote.

And Senate Concurrent Resolution No. 5 was read the second time in full.

The question was put on the adoption of the Concurrent Resolution.

Which was agreed to.

And Senate Concurrent Resolution No. 5 was adopted and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rules.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Horne—

Senate Bill No. 26:

A bill to be entitled An Act requiring all public officials now or hereafter required to post fidelity bonds or performance bonds, to post bonds written by surety companies authorized to do business in Florida, and providing that such officials shall not be qualified until such bonds are filed, and providing for payment of premiums thereon.

Which was read the first time by title only and referred to the Committee on Cities and Towns and the Committee on County Organizations, jointly.

By Senators McKenzie, Cooley, Shepherd, Parker, Graham, King and Butler—

Senate Bill No. 27:

A bill to be entitled An Act to regulate the manufacture, sale, distribution, use and possession of explosives; to require licenses to manufacture, deal in, and possess explosives, and fees for such licenses; providing for the appointment of a Licensing Authority, and prescribing its powers and duties; requiring reports and records from manufacturers and dealers in explosives; prohibiting the distribution of explosives to unlicensed persons; providing for the revocation of licenses; providing for an appeal from the decisions of the Licensing Authority; prescribing penalties for violations of this act; authorizing the licensing authority to prescribe rules and regulations under this Act; and repealing Acts and parts of Acts inconsistent with this Act.

Which was read the first time by title only.

Senator Cooley moved that the rules be waived and Senate Bill No. 27 be placed on the Calendar of Bills on second reading without reference.

Which was agreed to by a two-thirds vote and it was so ordered.

By Senators Clarke and Kanner—

Senate Joint Resolution No. 28:

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO

#### ARTICLE IV OF THE CONSTITUTION OF THE STATE OF FLORIDA RELATIVE TO THE EXECUTIVE DEPARTMENT, BY ADDING THERETO AN ADDITIONAL SECTION TO CREATE A GAME AND FRESH WATER FISH COMMISSION

BE IT RESOLVED by the Legislature of the State of Florida:—That the following Amendment to Article IV of the Constitution of the State of Florida relative to the Executive Department by adding thereto an additional section to be known as Section 30 of said Article IV, creating a game and fresh water fish commission be and the same is hereby agreed to and shall be submitted to the electors of the State of Florida for ratification or rejection at the General Election to be held on the first Tuesday after the first Monday in November 1942, as follows:

Section 30. 1. From and after January 1, 1943, management, restoration, conservation and regulation of the birds, game, fur bearing animals and the fresh water fish of the State of Florida, and the control and management of hatcheries, sanctuaries, refuges, reservations and all other property now owned or used for said purposes or hereafter acquired for said purposes and the acquisition and establishment of the same shall be vested in a commission to be known as the Game and Fresh Water Fish Commission, to consist of five members, one from each congressional district, as now existing, who shall be appointed by the Governor, subject to confirmation by the senate. The members so appointed shall annually elect one of their members as chairman of the commission. Among the powers granted to the commission by this section shall be the power to fix bag limits, to fix open and closed seasons on a state-wide, regional or local basis, as it may find to be appropriate, and to regulate the manner and method of taking, transporting, storing and using birds, game, fur bearing animals, fresh water fish, reptiles and amphibians.

2. The first members of the Commission shall be appointed on January 1, 1943, and their terms shall expire one year apart. At the expiration of such terms successors shall be appointed to serve for terms of five years.

3. The members of the Commission shall receive no compensation for their services as such, but each commissioner shall receive his necessary traveling or other expenses incurred while engaged in the discharge of his official duties, but not to exceed the sum of \$600.00 in any one year.

4. The Commission shall have the power to acquire by purchase, gift, eminent domain, or otherwise, all property necessary, useful or convenient for the use of the Commission, or for the exercise of any of its powers hereunder, and in the event the right of eminent domain is exercised, it shall be exercised in the same manner as now or hereafter may be provided for the exercise of eminent domain by the State Road Department.

5. The Commission shall appoint, and at pleasure remove, as director, a fit and suitable person, who shall appoint and at pleasure remove assistants and other employees, who shall fix their salaries subject to the approval of the Commission, except that no commissioner shall be eligible for such appointment or employment.

6. The funds resulting from the operations of the Commission and from the administration of the laws and regulations pertaining to birds, game, fur bearing animals, fresh water fish, reptiles and amphibians shall constitute the State Game Fund, and shall be used in carrying out the provisions thereof, and for no other purpose. The Commission may not obligate itself beyond the resources of the State Game Fund except as authorized by the Legislature.

7. The Legislature may enact any laws in aid of, but not inconsistent with, the provisions of this Amendment, and all existing laws inconsistent herewith shall no longer remain in force and effect. All laws fixing penalties for the violation of the provisions of this amendment and all laws imposing license taxes, shall be enacted by the Legislature from time to time.

Which was read the first time in full and referred to the Committee on Constitutional Amendments.

By Senators Clarke and Kelly—

Senate Bill No. 29:

A bill to be entitled An Act to authorize the filing, indexing and recording of certified copies of petitions commencing proceedings under the Bankruptcy Act of the United

States, decrees of adjudication in such proceedings, and orders approving bonds of trustees appointed in such proceedings; to make it the duty of the clerks of the Circuit Courts to file, index and record such copies; and to provide fees for such filing, indexing and recording.

Which was read the first time by title only and referred to the Committee on Judiciary "B."

By Senator Parker—

Senate Bill No. 30:

A bill to be entitled An Act to prohibit rebates and contracts in restraint of trade, by and between Corporations and/or Individuals engaged in the sale of new automobiles in this State and to provide penalties for the violation of this Act.

Which was read the first time by title only and referred to the Committee on Judiciary "A."

By Senator Clarke—

Senate Bill No. 31:

A bill to be entitled An Act to amend Section 4152. of the Revised General Statutes of Florida as amended by Section 11, Chapter 13576, Acts of 1929, relating to investing funds of banks.

Which was read the first time by title only and referred to the Committee on Banking and Building and Loans.

By Senator Clarke—

Senate Bill No. 32:

A bill to be entitled An Act to amend Section 4151 of the Revised General Statutes of Florida as amended by Section 10, Chapter 13576, Acts of 1929, as amended by Section 2, Chapter 17715, Acts of 1937, relating to a limitation on loans to officers, directors, employees, and others made by State Banks and Trust Companies.

Which was read the first time by title only and referred to the Committee on Banking and Building and Loans.

By Senator Clarke—

Senate Bill No. 33:

A bill to be entitled An Act to amend Section 6 relating to reports and supervision, Section 7 relating to fiscal year and annual meetings, and Section 17 relating to reserves, of Chapter 14499 Acts of 1929, Laws of Florida, relating to the operation, regulation, and supervision of Credit Unions.

Which was read the first time by title only and referred to the Committee on Banking and Building and Loans.

By Senators Parker, Cooley, Kanner, Lewis, Rose, Shepherd, Hinely, Perdue, Butler, Adams (30th), King, Collins, Graham, Clarke, Maddox, Maines, Taylor, McKenzie, Lindler, Ward, Wilson, Beall, Shuler, Folks and Kelly—

Senate Bill No. 34:

A bill to be entitled An Act levying a tax upon horse track pari-mutuel pools equal to the amount of said pool neither paid as a commission nor redistributed to the contributors otherwise known as the "Breaks." Prescribing the duty and liability of the race track licensee relative thereto and making same a part of the "Old Age Assistance Fund" when collected.

Which was read the first time by title only.

Senator Parker moved that the rules be waived and Senate Bill No. 34 be read the second time in full.

Upon which a roll call was demanded.

The roll was called and the vote was:

Yeas—Senators Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Dye, Folks, Graham, Hinely, Housholder, Kanner, King, Lewis, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Rose, Shands, Shepherd, Shuler, Taylor, Ward, Whitaker, Wilson—29.

Nays—Mr. President; Senators Adams (25th), Drummond, Gideons, Horne, Johnson, Kelly, Price, Smith—9.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 34 was read the second time in full.

Senator Horne offered the following amendment to Senate Bill No. 34:

In Section 4, strike out the entire Section and insert in lieu thereof the following:

"Section 4. When the tax hereby levied is paid into the State Treasury it shall be divided into as many equal parts as there are counties in the State, and there shall be remitted

one part to each County, in accordance with the provisions of Section 12, Chapter 14832, Laws of Florida, 1931, as Amended by Chapter 17276, Laws of Florida, 1935.

Senator Horne moved the adoption of the amendment.

Upon which a roll call was demanded.

The roll was called and the vote was:

Yeas—Mr. President; Senators Adams (25th), Drummond, Gideons, Horne—5

Nays—Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Dye, Folks, Graham, Hinely, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—33.

So the amendment failed of adoption.

Senator Parker moved that the rules be further waived and Senate Bill No. 34 be read the third time in full and put upon its passage

Which was agreed to by a two-thirds vote.

And Senate Bill No. 34 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Graham, Hinely, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—37.

Nays—Gideons—1.

So the bill passed, title as stated, and the action of the Senate was ordered to be certified to the House of Representatives immediately, by waiver of the rule.

Senator Dye moved that the rules be waived and when the Senate adjourns at this Session it recess to reconvene at 3:00 o'clock P. M., this day.

Which was agreed to by a two-thirds vote and it was so ordered.

Senator Beall moved that the Senate do now proceed to the consideration of Executive Communications.

Which was agreed to.

And the Senate went into Executive Session at 12:29 o'clock P. M.

The Senate emerged from Executive Session at 1:05 o'clock P. M., and resumed its Session.

The roll was called and the following Senators answered to their names:

Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—38.

A quorum present.

Senator Whitaker moved that the rules be waived and the Senate do now take up the message from the Secretary of State containing the Senate Bills of the 1939 Session vetoed by the Honorable Fred P. Cone, former Governor of Florida.

Which was agreed to by a two-thirds vote and the following message from the Secretary of State was taken up:

Tallahassee, Fla., April 14th, 1941.

*Hon. John R. Beacham,  
President of the Senate,  
Tallahassee, Fla.*

Sir:

In conformity with the requirements of the Constitution of the State of Florida, I herewith transmit to you, for the consideration of the Senate, the following vetoed Acts with the Governor's objections attached thereto, viz:

(Senate Bill No. 18)

"A bill to be entitled An Act to regulate private employment agencies; setting forth definitions; requiring licenses and fees for such licenses; requiring the filing of bonds; providing the procedure for filing claims; providing for the form and contents of licenses; providing for revocation and suspension of licenses; requiring schedule of fees to be charged applicants to be posted; prescribing duties of private employment agencies; setting forth penalties for violations and providing for financing and enforcement of the provisions hereof."

(Senate Bill No. 61)

"A bill to be entitled An Act amending Section 4339 of the Revised General Statutes of Florida 1920, as amended by Chapter 12321, Laws of Florida, Acts of 1927, relating to the requirements to do business in the State, of Surety Companies."

(Senate Bill No. 81)

"A bill to be entitled An Act authorizing the establishment and maintenance of separate State Prisons for the confinement and punishment of female persons and first offenders under twenty-five years of age, convicted and sentenced to the State Prison."

(Senate Bill No. 141)

"A bill to be entitled An Act for the relief of R. H. Brown in the matter of damage done to certain lands owned by him by the building of highways and requiring the Florida State Road Department to pay to the said R. H. Brown the sum of Two Hundred and Fifty Dollars."

(Senate Bill No. 167)

"A bill to be entitled An Act to define farm and farm trailers operated in connection therewith; to provide that such farm vehicles and farm trailers shall be exempt from the requirement of registration and the purchase of tags under the Motor Vehicle Laws of this State, when such farm vehicles and/or trailers are operated on farms, groves and orchards and in going to and from headquarters to such farms, groves and orchards."

(Senate Bill No. 225)

"A bill to be entitled An Act to designate and establish certain roads in Orange County as State Roads."

(Senate Bill No. 266)

"A bill to be entitled An Act authorizing the State Road Department to permit any responsible Person, Firm or Corporation to erect within the right of way of any State road, stations or waiting rooms for school children who are transported by school buses; providing the conditions and terms under and by which such permits may be granted; and empowering the Road Department to make reasonable rules and resolutions covering the same."

(Senate Bill No. 293)

"A bill to be entitled An Act authorizing and directing the State Road Department of the State of Florida to procure an All-Florida Moving Picture for showing as part of the Florida Exhibit at the New York World's Fair and at such other places and times as the State Road Department or any other Department or Agency of the Government of the State of Florida may provide, and authorizing the expenditure by the State Road Department of the monies necessary to secure such moving picture."

(Senate Bill No. 372)

"A bill to be entitled An Act making an appropriation of Five Thousand (\$5,000.00) Dollars, to each of six counties of the State of Florida, viz: Escambia, Santa Rosa, Walton, Okaloosa, Bay and Wakulla, in order to be able to secure any Federal or United States funds that may be appropriated for the control and elimination of the dog fly pest in said counties; providing for a method of repayment of the appropriation by the State of Florida; and setting up methods for the enforcement of this Act."

(Senate Bill No. 422)

"A bill to be entitled An Act for the relief of L. B. Alexander, of the City of Waldo, County of Alachua, State of Florida, on account of injuries to his automobile caused by a State convict running into said car."

(Senate Bill No. 444)

"A bill to be entitled An Act for the relief of the M. F. Comer Bridge and Foundation Company."

(Senate Bill No. 514)

"A bill to be entitled An Act for the relief of Jarlif, Inc., a Corporation of the State of Florida."

(Senate Bill No. 541)

"A bill to be entitled An Act to amend Section 1 of Chapter 17976, Acts of 1937, entitled An Act relating to the guardianship of weak-minded and physically incapacitated persons by the appointment of a curator to take charge of their property, and, if necessary, a guardian to take charge of their persons prescribing the form of petition, notice of hearing and procedure with reference to making said appointment, powers

and duties of curator and guardian, discharge of curator and of guardian, appointed under the provisions of this Act, effect of the decree of appointment and provisions for safe-guarding the property and interests of said weak-minded or physically incapacitated persons."

(Senate Bill No. 578)

"A bill to be entitled An Act relating to the requirements to do business in the State of Insurance Companies transacting the business of fidelity and surety; and to permit such companies to make cash deposits as a condition to the doing of such a business in Florida."

(Senate Bill No. 681)

"A bill to be entitled An Act for the relief of T. Bernard Bishop and J. M. Mashburn for all liability as sureties upon an appearance bond of Joe James, in the County Judge's Court of Jackson County, Florida."

(Senate Bill No. 690)

"A bill to be entitled An Act for the relief of C. D. Ivey, a resident of St. Johns County, Florida, providing an appropriation for injuries and damages sustained by him on account of an automobile collision occurring at Junction Point on State Highway No. 4 near St. Augustine, Florida, on January 1, 1936, providing for the State Treasurer and the State Comptroller of the State of Florida to draw and cause to be drawn, warrant in payment of said appropriation herein provided for; and providing for the enforcement of this Act."

(Senate Bill No. 693)

"A bill to be entitled An Act making an appropriation to be used as sponsor's contribution to match federal funds for the construction of building at the Florida School for the Deaf and Blind."

(Senate Bill No. 733)

"A bill to be entitled An Act to designate and establish certain roads in Union County as State Roads."

(Senate Bill No. 782)

"A bill to be entitled An Act appropriating Five Thousand (\$5,000.00) Dollars from the General Inspection Fund for the use of the State Executive Committee of the Young Democratic Clubs of Florida in its campaign to bring the 1941 National Convention of the Young Democratic Clubs of America to Florida."

(Senate Bill No. 836)

"A bill to be entitled An Act to Amend Chapter 16848, Acts of (1935) being entitled "An Act to provide for the relief of the Public Free Schools of the State of Florida by raising revenue for the County School Fund by levying and imposing a tax upon the privilege of operating a store or stores within this State to classify such stores for the purpose of such taxation and of graduating the tax in accordance with the number of stores operated under a single ownership, management or control, to declare the public policy on which this Act is founded; to provide for the administration and enforcement of this Act and for the promulgation and enforcement of rules and regulations to facilitate such enforcement; to provide for the creation and enforcement of a lien upon the property of persons liable for the payment of such tax; to provide penalties for the violation of this Act and of rules or regulations lawfully made under the authority hereof; to repeal conflicting laws expressly but on condition including Chapter 16071, Laws of Florida of 1933; and to appropriate the revenues derived hereunder; to repeal sub-division B of Section 4. of Chapter 16848, Laws of Florida, Acts of 1935, providing that such repeal of said sub-division B shall not excuse or relieve any person from the payment of gross receipts taxes under said Chapter 16848, Laws of Florida, Acts of 1935, accruing prior to the effective date of this Act, repealing all laws in conflict herewith, and providing when this Act shall take effect."

(Senate Bill No. 849)

"A bill to be entitled An Act authorizing and directing the State Road Department of Florida to convert a certain railroad bridge at McIntyre, Florida, on the Ocklockonee River into a draw-bridge and pay the costs therefore as State Highway projects are paid for."

(Senate Bill No. 991)

"A bill to be entitled An Act providing for tenure of employment of teachers in the Public Schools in Counties of the State of Florida having a population of not more than 80,000 and not less than 64,000 according to the last State census, defining when teachers are entitled to tenure of employment,

defining terms used in this Act, and conferring jurisdiction upon the Circuit Court to issue writs of mandamus and certiorari to give effect to the provisions of this Act."

(Senate Bill No. 1,000)

"A bill to be entitled An Act for the relief of Alberto Camero."

(Senate Bill No. 1061)

"A bill to be entitled An Act affecting the government of the City of Fernandina, Nassau County, Florida, from the provisions of Section 5 of Chapter 18011, General Laws of Florida, 1937, as amended by the Act of the 1939 Legislature the same being House Bill 1906, which Act is entitled "An Act relating to license taxes, repealing Chapter 14491, and Chapter 14528, Laws of Florida, Acts of 1929; repealing parts of Chapter 2 of Title VI of Division I of the Revised General Statutes of Florida of 1920; repealing Chapter 16801 and Chapter 17167, Laws of Florida, Acts of 1935; imposing certain license taxes and providing for the payment and collection thereof, and providing that license taxes shall be a lien on the property of the person liable therefor, under certain circumstances."

(Senate Bill No. 1093)

"A bill to be entitled An Act designating and establishing certain roads in Bradford County, Florida, as State Roads."

(Senate Bill No. 1097)

"A bill to be entitled An Act providing for the tenure of employment of teachers in the Public Schools in Counties of the State of Florida having a population of not more than 170,000 and not less than 100,000 according to the last preceding State or Federal census, defining when teachers are entitled to tenure of employment, defining terms used in this Act, and conferring jurisdiction upon the Circuit Court to issue writs of mandamus and certiorari to give effect to the provisions of this Act."

(Senate Bill No. 1098)

"A bill to be entitled An Act providing that in all Counties of the State of Florida having a population of not less than 60,000 and not more than 80,000 according to the last preceding State census The provision of Chapter 18292, Laws of Florida, Acts of 1937, same being an Act relating to and concerning taxation and providing for the Sale of Tax Certificates together with subsequent omitted or levied taxes; and further providing for vesting of title to land covered by Tax Certificates in State of Florida, shall not apply and shall be of no force and effect in such counties; repealing all laws in conflict herewith."

(Senate Bill No. 1152)

"A bill to be entitled An Act providing for tenure of employment of teachers in the Public Schools in Counties of the State of Florida, having a population of not more than 8,845 and not less than 8,800, according to the last preceding State or Federal census, defining when teachers are entitled to tenure of employment, defining terms used in this Act, and conferring jurisdiction upon the Circuit Court to issue writs of mandamus and certiorari to give effect to the provisions of this Act."

(Senate Bill No. 1160)

"A bill to be entitled An Act providing that in all counties of the State of Florida having a population of not less than 7,000 and not more than 7,500, according to the last preceding State Census, the provisions of Section 9 of Chapter 18296, Laws of Florida of 1937, shall not apply to any lots, parcels or tracts of land where the county or any municipality or any drainage district, or other taxing authority in the said county holds a lien, other than a state and county tax lien, on said lots, parcels or tracts of land by virtue of any valid law of said State of Florida."

(Senate Bill No. 1190)

"A bill to be entitled An Act providing that in all counties of the State of Florida having a population of no less than 9,000 and not more than 9,700, according to the last preceding State Census, the provisions of Section 9 of Chapter 18296, Laws of Florida of 1937, shall not apply to any lots, parcels or tracts of land where the county or any municipality or any drainage district, or other taxing authority in the said county holds a lien, other than a state and county tax lien on said lots, parcels or tracts of land by virtue of any valid law of said State of Florida."

(Senate Bill No. 1213)

"A bill to be entitled An Act to declare, designate and establish certain state roads in Hardee County."

(Senate Bill No. 1216)

"A bill to be entitled An Act to provide for the refunding to the several counties of the State of Florida of such sum of money as will equal the amount of money by such counties respectively, paid or to be paid, or property allowable as interest upon moneys furnished, advanced, contributed, paid out or expended by such counties, respectively, in the construction of that portion of the State Road System of this state comprehended within the provisions of Chapter 15,659, Laws of Florida, Acts of 1931; declaring the money so expended or to be expended as having been incurred by the counties for a proper state purpose; providing for an additional audit to ascertain the credits allowable hereunder, making an appropriation from the proceeds of the second gas tax levied and assessed by said Chapter 15,659, Acts of 1931, for the cost of the audit provided for herein and for the refunding to such counties of the said sums above mentioned; providing the method of distribution of the credits hereunder; and prescribing the duties of certain officials in carrying out the purposes of this Act."

(Senate Bill No. 1217)

"A bill to be entitled An Act to provide for the refunding to each county of the State of Florida of all moneys which have been furnished, advanced, paid out, distributed or expended during the period of time extending from January 1, 1915, to January 1, 1939, in the construction or building by any such county or counties or any special road and bridge district or other special taxing district, of any road or roads which have been designated a state road prior to January 1, 1939, not including any amounts certified as credits to the several counties pursuant to Chapter 15,659, Laws of Florida, Acts of 1931, declaring such roads to have been built for state purposes and as being state undertakings; making an appropriation from the proceeds of the second gas tax levied and assessed by said Chapter 15,659, for the cost of the audit provided for herein and for the refunding to such counties of the said sums above mentioned; Providing the method of distribution and use of the credits hereunder; and prescribing the duties of certain officials in carrying out the provisions of this Act."

(Senate Bill No. 1219)

"A bill to be entitled An Act relating to the board of administration established by Chapter 14,486, Laws of Florida, Acts of 1929, being entitled: 'An Act providing for depository of sinking funds and delinquent taxes and other moneys for road and bridge indebtedness of the counties and special road and bridge districts of the state or otherwise, authorizing the issuance of refunding bonds by said counties and special road and bridge districts, and providing for the creation of a board of administration and the disbursement of such funds to pay such indebtedness and the use of any surplus in any county for the construction and maintenance of roads and bridges. 'As amended by Chapter 15,891, Laws of Florida, Acts of 1933, which said Act of 1933 provided certain additional powers and duties of the state board of administration in connection with its functions as the fiscal agent for the several counties of the State of Florida with reference to road districts, road and bridge district, special road and bridge district, and county road bonds and bond issues subject to said Chapter 14,486, Laws of Florida, Acts of 1929, so as to provide for participation in the distribution provided in said Act of 1929, as so amended, of bonds as re-defined herein, issued, delivered and outstanding on or prior to July 1, 1931, or bonds issued to refund the same; and prescribing the duties of said state board of administration in connection therewith; but in no manner affecting the apportionment, allotment, allocation or formula therefor of any gasoline tax moneys payable under the Laws of Florida; and repealing all laws or parts of laws in conflict herewith and providing for an effective date hereof."

(Senate Bill No. 1221)

A bill to be entitled An Act to declare, designate and establish as a part of the state road system the following roads in Suwannee County named and known by the Board of County Commissioners of Suwannee County Florida."

Respectfully,

R. A. GRAY,  
Secretary of State.

Each bill contained in the foregoing message from the Secretary of State was taken up, together with the Governor's objections thereto, as follows:



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June 10th, 1939.

Honorable R. A. Gray,  
Secretary of State,  
Tallahassee, Fla.

Dear Mr. Gray:

Pursuant to authority vested in me as Governor of Florida under the provisions of Section 28, Article III of the Constitution of this State, I transmit to you with my objections thereto, Senate Bill No. 18, entitled:

"A bill to be entitled An Act to regulate private employment agencies; setting forth definitions; requiring licenses and fees for such licenses; requiring the filing of bonds; providing the procedure for filing of claims; providing for the form and contents of licenses; providing for revocation and suspension of licenses; requiring schedule of fees to be charged applicants to be posted; prescribing duties or private employment agencies; setting forth penalties for violations and providing for financing and enforcement of the provisions hereof:

This bill requires Employment Agencies to obtain licenses from the Florida Industrial Commission and prevents anyone from getting a license as they ordinarily would from the County Judge. It thus transfers the licensing of these agencies to the Industrial Commission, doing away with one of the functions of State government now administered by the County Judges.

I do not believe in taking away any functions of our government provided for under our existing General laws of the State, and giving them to some newly created State department or agency which usually means interfering with ordinary and long standing civil rights.

It provides that a license fee of \$250, if located in a city of over 100,000 population and \$100.00 if located in a city of less than 100,000 be secured from the Industrial Commission and does away with any small town agencies. Any poor person of moderate means could not afford to run an Employment Agency, if required to pay this exorbitant license.

I do not think an Employment Agency should have any more restrictions put upon them than is placed on any other business that has a right to go into a lawful business in an effort to make an honest living and I do not believe the authority should be delegated by law to the Florida Industrial Commission or any other department. Such delegation of authority as mentioned in this bill is a violation of state's rights and gives to some appointive Board the power and authority to destroy and put people out of business at will. If it continues to grow then every merchant and other small business man will be required to take out a license with some governmental agency of a prohibitive nature.

This bill seeks to require all clerks in an employment office to pay a license fee of \$5.00 which is unfair to any individual seeking work in order to make a living. It is an injustice and against our form of government.

Another objection to this bill is that it requires that anyone seeking to do business must apply for a license and comply with the rules and regulations set up by this Commission which will tend to regiment all of our citizens of Florida from trying to earn an honest living.

It requires the applicant to give bond to be approved by the Chairman of the Florida Industrial Commission from some bonding company and the conditions of said bond are that they must not violate any law, any lawful order, rule or regulation made or prescribed thereunder. Whenever the time comes in this country that any agency, alien or otherwise, sets up governmental agency in this State to take away property rights and an individual's right to do business under some regulation or order by some Board of Commission not responsible to the people, then our governmental functions and free government will cease.

All license fees for Employment agencies under the terms of this bill are to be turned over to the Florida Industrial Commission instead of being paid to the County Judges of the State and by them sent to the State Treasurer which is in violation of every safe-guarding governmental principle that we have.

It gives the Chairman of the Florida Industrial Commission the right to revoke licenses at will, which is foreign to our principles of government, which right is only granted to proper State officers and the courts of our State for the conviction of some crime or the violation of some prohibitory statute and not by violation of some rule or regulation made by some agency not under the control and management of the State government, but affiliated with the National government.

The bill gives the Chairman of the Florida Industrial Commission the authority to act as referee on all claims arising on the bond of those licensed and gives him judicial power to determine these things which is the function of our courts, who receive their power from our constitution and the further arbitrary power to revoke licenses for a period of not less than one year nor more than three years for the violation of any rule or regulation prescribed thereunder.

It gives the Commission the right to make rules to govern a legitimate, honest business and is against every principle of our government, therefore, I veto Senate Bill No. 18, passed by the 1939 Legislature.

Respectfully submitted,  
FRED P. CONE,  
Governor.

And Senate Bill No. 18 (1939 Session), together with the Governor's objections thereto, was referred to the Committee on Executive Communications.

June 9th, 1939,

Honorable R. A. Gray,  
Secretary of State,  
Tallahassee, Fla.

Dear Mr. Gray:

Pursuant to authority vested in me as Governor of Florida under the provisions of Section 28, Article III of the Constitution of this State, I transmit to you with my objections thereto, Senate Bill No. 61, entitled:

"A bill to be entitled An Act amending Section 4339 of the Revised General Statutes of Florida, 1920, as amended by Chapter 12321 Laws of Florida Acts of 1927, relating to the requirements to do business in the State, of surety companies."

This bill seeks to require the State Treasurer to accept in lieu of a bonding company depositing \$75,000 worth of government bonds or other acceptable security with him, bonds of another surety company of \$75,000 which is authorized to do business in the State.

All the Treasurer would have for security for the insured with the proposed company would be a surety bond of some other surety company and the insurers would be dependent upon the cash value of same.

It would be subject to all technicalities usually written in a surety bond and is not proper security for firms and persons desiring to do a surety business.

The fees charged by the surety companies in this State are certainly enough for the price being paid to protect the insured, therefore, I veto Senate Bill No. 61, passed by the 1939 session of the Legislature.

Respectfully,  
FRED P. CONE,  
Governor.

And Senate Bill No. 61 (1939 Session), together with the Governor's objections thereto, was referred to the Committee on Executive Communications.

June 9th, 1939.

Honorable R. A. Gray,  
Secretary of State,  
Tallahassee, Fla.

Dear Mr. Gray:

Pursuant to authority vested in me as Governor of Florida under the provisions of Section 28, Article III of the Constitution of this State, I transmit to you with my objections thereto, Senate Bill No. 81, entitled:

"A bill to be entitled An Act authorizing the establishment and maintenance of separate State prisons for the confinement and punishment of female persons and first offenders under twenty-five years of age, convicted and sentenced to the State prison."

This bill authorizes the building of a separate State prison for the confinement and punishment of female persons and first offenders under 25 years of age, without providing any revenue for the purpose of carrying out the terms of the bill.

The State has no money and the Legislature did not provide the source from which this revenue is to come in order to carry out the mandates of this bill, therefore, I veto Senate Bill No. 81, passed by the 1939 session of the Legislature.

Respectfully,  
FRED P. CONE,  
Governor.

And Senate Bill No. 81 (1939 Session), together with the Governor's objections thereto, was referred to the Committee on Executive Communications.

June 6th, 1939.

Honorable R. A. Gray,  
Secretary of State,  
Tallahassee, Florida.

Dear Mr. Gray:

Pursuant to authority vested in me as Governor of Florida under the provisions of Section 28, Article III of the Constitution of this State, I transmit to you with my objections thereto, Senate Bill No. 141, entitled:

"A bill to be entitled An Act for the relief of R. H. Brown in the matter of damage done to certain lands owned by him by the building of highways and requiring the Florida State Road Department to pay to the said R. H. Brown the sum of Two Hundred and Fifty Dollars."

This bill seeks to collect money for alleged damage by water to 10 acres of land located near the right-of-way of a road built by the State Road Department to the extent of \$250.00

The building of State roads is an improvement and increases the value of the land through which it passes and the State should not be penalized or required to pay damages of a temporary nature during the construction of these roads. Water temporarily on 10 acres of land could not damage it to the extent of \$250 or \$25 per acre unless it had been valuable land located in some city.

For the above reasons. I veto this bill.

Respectfully submitted,

FRED P. CONE,  
Governor.

And Senate Bill No. 141 (1939 Session), together with the Governor's objections thereto, was referred to the Committee on Executive Communications.

June 10th, 1939.

Honorable R. A. Gray,  
Secretary of State,  
Tallahassee, Florida.

Dear Mr. Gray:

Pursuant to authority vested in me as Governor of Florida under the provisions of Section 28, Article III of the Constitution of this State, I transmit to you with my objections thereto, Senate Bill No. 167, entitled:

"A bill to be entitled An Act to define farm and farm trailers operated in connection therewith; to provide that such farm vehicles and farm trailers shall be exempt from the requirement of registration and the purchase of tags under the Motor Vehicle Laws of this State, when such farm vehicles and/or trailers are operated on farms, groves and orchards and in going to or from headquarters to such farms, groves and orchards."

The bill seeks to exempt a certain class of farm vehicles defined as motor vehicles operated principally upon the highways of this State in hauling produce from groves, farms or orchards in the nature of agricultural and horticultural products.

All the tag money received from the sale of license tags for trucks goes to the upkeep of our public schools. People who use these trucks and farm vehicles sought to be exempt in this bill send their children to schools provided for by tax payers, use the hard roads built by gasoline money and they reach their farms over these same highways. If it was not for the good road system provided for their use they would be unable to reach their farms or the markets to sell their products.

The passage of this Act would be discriminatory against poor people who use trucks on the farms to haul their produce to and from the markets in an effort to earn a livelihood from farm products, and who contribute to the schools and maintenance of our roads in license taxes and other forms of taxation. Many large farm owners using trucks exclusively for farm purposes, and who travel the highways of this State would bear no part of the expense of our schools and the school funds would be reduced if this bill should become a law.

At the present time farm tractors are exempt from motor vehicle license tags and there is no valid reason why there should be any further exemption on motor vehicles.

For the above reasons I veto Senate Bill No. 167 passed by the session of the 1939 Legislature.

Respectfully submitted,

FRED P. CONE,  
Governor.

And Senate Bill No. 167 (1939 Session), together with the Governor's objections thereto, was referred to the Committee on Executive Communications.

June 9th, 1939.

Honorable R. A. Gray,  
Secretary of State,  
Tallahassee, Fla.

Dear Mr. Gray:

Pursuant to authority vested in me as Governor of Florida under the provisions of Section 28, Article III of the Constitution of this State, I transmit to you with my objections thereto, Senate Bill No. 225, entitled:

"A bill to be entitled An Act to designate and establish certain roads in Orange county as State roads."

This bill seeks to designate fifty-six roads in one County as State Roads without regard to expense to the State Road Department or the feasibility of the need of the roads, whether the roads are desired or whether they are useful to the people of the County, to commerce or to the traveling public.

The roads designated are so indefinite that no person knows whether they are needed or will ever be needed for years to come, in fact, it would be impossible for the State Road Department to build or construct these roads and after they were constructed there would never be enough gas tax money in Florida to keep them in repair, much less build bridges over the streams and waterways in order to haul commerce and accommodate traffic.

If we are ever to have roads in Florida, we must have an orderly system of building, according to specifications by qualified engineers and not only the roads but the bridges must be constructed so as to withstand traffic.

A road system of this kind should not be started until a general plan of building, according to the needs of each County in Florida has been made, then it should be placed in one bill, so that each County could get its fair share of roads designated and an equal amount of the gas taxes for building of such roads necessary for the convenience of the public, commerce and the people in the section through which these roads pass.

The number of roads mentioned in this bill will hardly be useful to the County, its people or to the traveling public, therefore, I veto Senate Bill No. 225 as passed by the Legislature of 1939.

Respectfully submitted,

FRED P. CONE,  
Governor.

And Senate Bill No. 225 (1939 Session), together with the Governor's objections thereto, was referred to the Committee on Executive Communications.

June 8th, 1939.

Honorable R. A. Gray,  
Secretary of State,  
Tallahassee, Fla.

Dear Mr. Gray:

Pursuant to authority vested in me as Governor of Florida under the provisions of Section 28, Article III under the Constitution of this State, I transmit to you with my objections thereto, Senate Bill No. 266, entitled:

"A bill to be entitled An Act authorizing the State Road Department to permit any responsible person, firm or corporation to erect within the right of way of any State road, stations or waiting rooms for school children who are transported by school busses; providing the conditions and terms under and by which such permits may be granted; and empowering the Road Department to make reasonable rules and resolutions covering the same."

The said bill seeks to construct small buildings on the side of the highways for advertising purposes, which will embarrass the State Road Department since it is a violation of the rules and regulations of that Department in that it allows advertising on the highways. The erection of the buildings mentioned would hinder and probably cause accidents to traffic, therefore, I veto Senate Bill No. 266, passed by the 1939 Session of the Legislature.

Respectfully,

FRED P. CONE,  
Governor.

And Senate Bill No. 266 (1939 Session), together with the Governor's objections thereto, was referred to the Committee on Executive Communications.

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June 5th, 1939.

Honorable R. A. Gray,  
Secretary of State,  
Tallahassee, Florida.

Dear Mr. Gray:

Pursuant to authority vested in me as Governor of Florida under the provisions of Section 28, Article III of the Constitution of this State, I transmit to you with my objections thereto Senate Bill No. 293, entitled:

"A bill to be entitled An Act authorizing and directing the State Road Department of the State of Florida to procure an All-Florida Moving Picture for showing as part of the Florida Exhibit at the New York World's Fair and at such other places and times as the State Road Department or any other department or agency of the Government of the State of Florida may provide, and authorizing the expenditure by the State Road Department of the monies necessary to secure such moving picture."

The bill provides that the State Road Department shall take the funds of that Department paid in by gasoline tax for use in building roads to the amount of \$17,798.25 to pay for a certain moving picture which has been produced by David M. Newell, showing the wild life of the State, on fish and game and hunting wild animals. The gasoline tax is for the construction maintaining and repairing of roads in Florida and not authorized to be expended for a moving picture of this kind. It is wrong for the Legislature to authorize taking of gasoline tax money to buy moving pictures for use in the Florida Exhibit at the World's Fair or any other place.

I am in sympathy with the many advantages and benefits that the Florida Exhibit at the World's Fair will give the State, and our citizens as well as the State have been liberal in providing the means for this Exhibit, but the funds of the State Road Department paid in by the gasoline tax payers should not be diverted for the purchase of a moving picture for the Florida Exhibit, therefore, I veto same.

Respectfully submitted,

FRED P. CONE,  
Governor.

And Senate Bill No. 293 (1939 Session), together with the Governor's objections thereto, was referred to the Committee on Executive Communications.

June 9th, 1939.

Honorable R. A. Gray,  
Secretary of State,  
Tallahassee, Florida.

Dear Mr. Gray:

Pursuant to authority vested in me as Governor of Florida under the provisions of Section 28, Article III of the Constitution of this State, I transmit to you with my objections thereto, Senate Bill No. 372, entitled:

"A bill to be entitled An Act making an appropriation of Five Thousand (\$5,000.00) Dollars, to each of six counties of the State of Florida, viz: Escambia, Santa Rosa, Walton, Okaloosa, Bay and Waukulla, in order to be able to secure any Federal or United States funds that may be appropriated for the control and elimination of the Dog Fly Pest in said counties; providing for a method of repayment of the appropriation by the State of Florida; and setting up methods for the enforcement of this Act."

As much as I would like to help out this worthy cause the Legislature failed to provide a source of revenue for the appropriation mentioned in this bill which is \$30,000. There is no likelihood of the funds being available within the next two years for this reason, I veto Senate Bill No. 372, passed by the 1939 session of the Legislature.

Respectfully,

FRED P. CONE,  
Governor.

And Senate Bill No. 372 (1939 Session), together with the Governor's objections thereto, was referred to the Committee on Executive Communications.

June 10th, 1939.

Honorable R. A. Gray,  
Secretary of State,  
Tallahassee, Florida.

Dear Mr. Gray:

Pursuant to authority vested in me as Governor of Florida under the provisions of Section 28, Article III of the Constitution of this State I transmit to you with my objection thereto, Senate Bill No. 422, entitled:

"A bill to be entitled An Act for the relief of L. B. Alexander of the City of Waldo, County of Alachua, State of Florida, on account of injuries to his automobile caused by a State Convict running into said car."

This bill would require the State to pay for damage to a car caused by its striking a convict while he was running across the highway in an escape attempt.

This is contrary to all established precedents in this State, since the State does not make restitution to persons damaged or injured by criminals whether convicts or not under any circumstances

The State's revenues must be used for essential governmental purposes and not for claims of this sort, therefore I veto said bill.

Respectfully submitted,

FRED P. CONE,  
Governor.

And Senate Bill No. 422 (1939 Session), together with the Governor's objections thereto, was referred to the Committee on Executive Communications.

June 6th, 1939.

Honorable R. A. Gray,  
Secretary of State,  
Tallahassee, Florida.

Dear Mr. Gray:

Pursuant to authority vested in me as Governor of Florida under the provisions of Section 28, Article III of the Constitution of this State, I transmit to you with my objections thereto, Senate Bill No. 444, entitled:

"A bill to be entitled An Act for the relief of the M. F. Comer Bridge and Foundation Company."

The FERA, upon which this claim is based, was a Federal and not a State Agency and the State of Florida could not be held responsible for hurricanes of things caused by an Act of God, no more that it could be, had the barge in question been destroyed by an earthquake. Under the decision of the Supreme Court, the State of Florida is not liable for an Act of God.

The FERA expended approximately \$5,000 raising this barge and rebuilding it for the M. F. Comer Bridge and Foundation Company after the storm, besides it paid this Company \$27.00 a day as rental for the period of time used in rebuilding the barge, which amounted to \$7,779.55.

The M. F. Comer Bridge and Foundation Company introduced in Congress a claim for this barge, which was not allowed and this company has tried at every session of the Legislature since to get a bill through and it has been unsuccessful until the present time.

The State Welfare Board has investigated every phase of this claim and can find no foundation for the payment of same and if there was any responsibility at all, it was a liability of the United States Government and not the State of Florida. I, therefore, veto this bill.

Respectfully submitted,

FRED P. CONE,  
Governor.

And Senate Bill No. 444 (1939 Session), together with the Governor's objections thereto, was referred to the Committee on Executive Communications.

June 9th, 1939.

Honorable R. A. Gray,  
Secretary of State,  
Tallahassee, Florida.

Dear Mr. Gray:

Pursuant to authority vested in me as Governor of Florida under the provisions of Section 28, Article III of the Constitution of this State, I transmit to you with my objections thereto, Senate Bill No. 514, entitled:

"A bill to be entitled An Act for the relief of Jarlif, Inc., a corporation of the State of Florida."

The State is not liable for this claim.

The said J. C. Emerson was an agent of the Federal government. When Emerson went out of office the claim in the amount of \$1,200 was presented and paid.

The said Lee Jarrell or his Company, Jarlif, Inc., leased the building to the Florida State Employment Service which the State of Florida has nothing to do with at the time of the alleged lease. In December 1938, the Florida State Employment Service, which is a governmental agency, re-leased the



said building from Jarlif, Inc. The State is not liable and never has been liable for any of the money claimed. At the time J. C. Emerson signed any lease, if he did sign a lease, his office had been abolished by an Act of the Florida Legislature and he did not have any authority to sign a lease as is purported to have been done. Therefore, I veto Senate Bill No. 514, as passed by the 1939 Legislature.

Respectfully submitted,  
FRED P. CONE,  
Governor.

And Senate Bill No. 514 (1939 Session), together with the Governor's objections thereto, was referred to the Committee on Executive Communications.

June 9th, 1939.

Honorable R. A. Gray,  
Secretary of State,  
Tallahassee, Florida.

Dear Mr. Gray:

Pursuant to authority vested in me as Governor of Florida under the provisions of Section 28, Article III of the Constitution of this State, I transmit to you with my objections, Senate Bill No. 541, entitled:

"A bill to be entitled An Act to amend Section 1 of Chapter 17,976, Acts of 1937, entitled An Act relating to the guardianship of weak-minded and physically incapacitated persons by the appointment of a curator to take charge of their property, and, if necessary, a guardian to take charge of their persons prescribing the form of petition, notice of hearing and procedure with reference to making said appointment, powers and duties of curator and guardian, discharge of curator and of guardian, appointed under the provisions of this Act, effect of the decree of appointment and provisions for safeguarding the property and interests of said weak-minded or physically incapacitated persons."

This bill relates to the guardianship of weak-minded and physically incapacitated persons by the appointment of a curator to take charge of their property, and if necessary appoint a guardian to take charge of their persons, prescribes the form of petitions, etc.

There are many people physically incapacitated that have good minds and sound judgment and can attend to their own business, and this bill would permit designing persons to take another's property when they could not properly protect themselves.

The bill further states that whensoever any person permanently or temporarily residing in Florida shall become physically incapacitated or feeble-minded, or epileptic or so mentally or physically defective by reason of age, sickness, or drugs, his property may be taken over by another and a guardian appointed for him. There are many people who are victims of epilepsy that have plenty of good common sense and are able to manage their property and do operate businesses with reasonable success, and the thought of depriving them of their rights as citizens because of illness, age or temporary disease is repugnant.

This bill goes so far as to require that when a person has no relatives then a stranger can take charge of his property which is liable to be wasted, destroyed and dissipated. Under the terms of this bill many advantages could be taken by designing persons seeking to take another's property.

For these reasons I veto Senate Bill No. 541 passed in regular session by the 1939 Legislature.

Respectfully,  
FRED P. CONE,  
Governor.

And Senate Bill No. 541 (1939 Session), together with the Governor's objections thereto, was referred to the Committee on Executive Communications.

June 6th, 1939.

Honorable R. A. Gray,  
Secretary of State,  
Tallahassee, Fla.

Dear Mr. Gray:

Pursuant to authority vested in me as Governor of Florida under the provisions of Section 28, Article III of the Constitution of this State, I transmit to you with my objections thereto, Senate Bill No. 578, entitled:

"A bill to be entitled An Act relating to the requirements to do business in the State of insurance companies trans-

acting the business of fidelity and surety; and to permit such companies to make cash deposits as a condition to the doing of such a business in Florida."

This bill seeks to deprive the State Treasurer of being the Depository for all funds and collateral of every nature for a licensed insurance company to do business in this State and attempts to amend the General Laws for one particular insurance company.

It requires the State Treasurer to accept a receipt from a National or State Bank for cash deposited, which is contrary to the General Laws controlling deposits for insurance companies, for the protection of the insured. This bill takes one particular company outside the provisions of the General Laws which is contrary to law.

This bill seeks to require the State Treasurer in lieu of taking bonds, money or other collateral to accept a bare receipt from a bank showing that such money was deposited in a bank and by this act the bank would be perpetually designated as a depository and all the State would have for the protection of the insurers would be a receipt from the said bank.

The law requires that the Insurance Companies shall deposit with the State Treasurer collateral to the market value of \$75,000 and then, if the State Treasurer in his discretion wants to re-deposit it in a bank and let the bank put up collateral in addition to the receipt, then the matter would be a protection to the insured, but as this bill is framed the money would be put in a bank, a receipt issued and delivered to the State Treasurer, which would be all the State Treasurer would have for the protection of the insured from the proposed Insurance Company.

Section 1 of the bill refers to Chapter 13321, Laws of Florida, Acts of 1927, which is a Special Law pertaining to Polk County, Florida, and has no connection with Insurance Companies.

For the above reasons, I veto this bill.

Respectfully submitted,  
FRED P. CONE,  
Governor.

And Senate Bill No. 578 (1939 Session), together with the Governor's objections thereto, was referred to the Committee on Executive Communications.

June 9th, 1939.

Honorable R. A. Gray,  
Secretary of State,  
Tallahassee, Fla.

Dear Mr. Gray:

Pursuant to authority vested in me as Governor of Florida under the provisions of Section 28, Article III of the Constitution of this State, I transmit to you with my objections thereto, Senate Bill No. 681, entitled:

"A bill to be entitled An Act for the relief of T. Bernard Bishop and J. M. Mashburn for all liability as sureties upon an appearance bond of Joe James, in the County Judge's Court of Jackson County, Florida."

This bill is for the relief of T. Bernard Bishop and J. M. Mashburn for all liability as sureties upon an appearance bond of Joe James, in the County Court of Jackson County, Florida.

The bill shows that these men stood the bond of Joe James charged with the offense of unlawfully operating a motor vehicle over the public highways while under the influence of liquor. That the said Joe James failed and omitted to appear at the term of court and that the said bond was estreated.

There are no reasons given as why the said bondsmen should not pay this bond as the law required, and nothing to show the liability of the State of Florida. If the bond was paid it was paid to the County of Jackson and there is no reason why these bondsmen should be released therefore I veto said Senate Bill No. 681 passed by the Legislature of 1939 in regular session.

Respectfully,  
(Signed) FRED P. CONE,  
Governor.

And Senate Bill No. 681 (1939 Session), together with the Governor's objections thereto, was referred to the Committee on Executive Communications.

June 9th, 1939.

Honorable R. A. Gray,  
Secretary of State,

April 15, 1941

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Tallahassee, Florida.

Dear Mr. Gray:

Pursuant to authority vested in me as Governor of Florida under the provisions of Section 28, Article III of the Constitution of this State, I transmit to you with my objections thereto, Senate Bill No. 690, entitled:

"A bill to be entitled An Act for the relief of C. D. Ivey, a resident of St. Johns County, Florida, providing an appropriation for injuries and damages sustained by him on account of an automobile collision occurring at Junction Point on State Highway No. 4 near St. Augustine, Florida, on January 1, 1936; providing for the State Treasurer and the State Comptroller of the State of Florida to draw and cause to be drawn, warrant in payment of the said appropriation herein provided for: and providing for the enforcement of this Act."

This bill is an attempt to collect money from the State of Florida for alleged injuries occurring on State Highway No. 4, partially caused by the condition of the highway.

There is no negligence shown on the part of the State of Florida and it could not be held liable for accidents caused by the partial condition of the highway. If there is any liability it is not the State of Florida but the State Road Department. The State Road Department, its officers, agents or employees have had no notice that this claim would be presented and not allowed to defend said claim or show cause of the injuries complained of. In other words this is an ex parte claim without any evidence of the State or the right of the State being protected.

For these reasons I veto said Senate Bill No. 690 passed by the Legislature of 1939 in regular session.

Respectfully,  
(Signed) FRED P. CONE,  
Governor.

And Senate Bill No. 690 (1939 Session), together with the Governor's objections thereto, was referred to the Committee on Executive Communications.

June 9th, 1939.

Honorable R. A. Gray,  
Secretary of State,  
Tallahassee, Florida.

Dear Mr. Gray:

Pursuant to authority vested in me as Governor of Florida under the provisions of Section 28, Article III of the Constitution of this State, I transmit to you with my objections thereto, Senate Bill No. 693, entitled:

"A bill to be entitled An Act making an appropriation to be used as sponsor's contribution to match Federal funds for the construction of building at the Florida School for the Deaf and Blind."

There is not any money available for this appropriation of \$110,000. The Legislature failed to provide a source from which revenue may be obtained to pay this appropriation, therefore, I veto Senate Bill No. 693, passed by the 1939 session of the Legislature.

Respectfully,  
(Signed) FRED P. CONE,  
Governor.

And Senate Bill No. 693 (1939 Session), together with the Governor's objections thereto, was referred to the Committee on Executive Communications.

June 9th, 1939.

Honorable R. A. Gray,  
Secretary of State,  
Tallahassee, Florida.

Dear Mr. Gray:

Pursuant to authority vested in me as Governor of Florida under the provisions of Section 28, Article III of the Constitution of this State, I transmit to you with my objections thereto, Senate Bill No. 733, entitled:

"A bill to be entitled An Act to designate and establish certain roads in Union County as State Roads."

This bill seeks to designate thirteen roads in one County as State Roads without regard to expense to the State Road Department or the feasibility of the need of the roads, whether the roads are desired or whether they are useful to the people of the County, to commerce or to the traveling public.

The roads designated are so indefinite that no person knows whether they are needed or will ever be needed for years to

come, in fact, it would be impossible for the State Road Department to build or construct these roads and after they were constructed there would never be enough gas tax money in Florida to keep them in repair, much less build bridges over the streams and waterways in order to haul commerce and accommodate traffic.

If we are ever to have roads in Florida, we must have an orderly system of building, according to specifications by qualified engineers and not only the roads but the bridges must be constructed so as to withstand traffic.

A road system of this kind should not be started until a general plan of building, according to the needs of each County in Florida has been made, then it should be placed in one bill, so that each County could get its fair share of roads designated and an equal amount of the gas taxes for building of such roads necessary for the convenience of the public, commerce and the people in the section through which these roads pass.

The number of roads mentioned in this bill will hardly be useful to the County, its people or to the traveling public. therefore, I veto Senate Bill No. 733 as passed by the Legislature of 1939.

Respectfully submitted,  
FRED P. CONE,  
Governor.

And Senate Bill No. 733 (1939 Session), together with the Governor's objections thereto, was referred to the Committee on Executive Communications.

June 7th, 1939.

Honorable R. A. Gray,  
Secretary of State,  
Tallahassee, Florida.

Dear Mr. Gray:

Pursuant to authority vested in me as Governor of Florida under the provisions of Section 28, Article III of the Constitution of this State, I transmit to you with my objections thereto, Senate Bill No. 782, entitled:

"A bill to be entitled An Act appropriating Five Thousand (\$5,000.00) Dollars from the General Inspection Fund for the use of the State Executive Committee of the Young Democratic Clubs of Florida in its campaign to bring the 1941 National Convention of the Young Democratic Clubs of America to Florida."

This bill appropriates \$5,000 out of the general Inspection Fund for the use of the State Executive Committee of the Young Democratic Clubs of Florida to be expended by them in a campaign of advertising and seeking to cause the National Convention of the Young Democratic Clubs of America to be held in Florida in 1941.

There is nothing that I would not do for the Young Democrats or the whole Democratic party and no one is more interested in the party and its success than I am, but this appropriation takes money from the inspection of citrus fruits and other products of the State of Florida.

I have received a great many protests from citrus fruit producers and citrus organizations all over the State, who are taxed to pay these inspection fees and they object to their money being used for this purpose and I do not think that the State can legitimately appropriate money from this fund for the use of the Young Democratic Clubs or any other Club for the purpose of holding a convention in Florida.

These taxes are levied by law and collected for specific purposes and while I am in sympathy with all the Democratic Clubs and Democratic organizations throughout the country and they are doing a good work, I cannot as Governor of Florida be a party to appropriating these funds collected from fruit growers, vegetable farmers and others, some of whom are very poor people, no matter how worthy this cause may be.

I therefore veto Senate Bill No. 782 passed by the 1939 Session of the Legislature.

Respectfully submitted,  
(Signed) FRED P. CONE,  
Governor.

And Senate Bill No. 782 (1939 Session), together with the Governor's objections thereto, was referred to the Committee on Executive Communications.

June 5th, 1939.

Honorable R. A. Gray,  
Secretary of State,  
Tallahassee, Florida:

Dear Mr. Gray:

Pursuant to authority vested in me as Governor of Florida under the provisions of Section 27, Article III of the Constitution of this State, I transmit to you with my objections thereto, Senate Bill No. 836, entitled:

"A bill to be entitled An Act to amend Chapter 16848, Acts of (1935) being entitled "An Act to provide for the relief of the Public Free Schools of the State of Florida by raising revenue for the County School Fund by levying and imposing a tax upon the privilege of operating a store or stores within this State, to classify such stores for the purpose of such taxation and of graduating the tax in accordance with the number of stores operated under a single ownership, management or control, to declare the public policy on which this Act is founded; to provide for the administration and enforcement of this Act and for the promulgation and enforcement of rules and regulations to facilitate such enforcement; to provide for the creation and enforcement of a lien upon the property of persons liable for the payment of such tax; to provide penalties for the violation of this Act and of rules or regulations lawfully made under the authority hereof; to repeal conflicting laws, expressly but on condition including Chapter 16071, Laws of Florida of 1933; and to appropriate the revenues derived hereunder; to repeal sub-division B of Section 4, of Chapter 16848, Laws of Florida, Acts of 1935; providing that such repeal of said sub-division B shall not excuse or relieve any person from the payment of gross receipts taxes under said Chapter 16848, Laws of Florida, Acts of 1935, accruing prior to the effective date of this Act, repealing all Laws in conflict herewith and providing when this Act shall take effect."

The said gross receipts tax which this bill seeks to repeal was originally passed for the benefit of the school system of Florida. The Legislature of 1939, just adjourned, has failed and omitted to provide funds for the schools, although it did increase the appropriation for same, and increased many other appropriations, without making any provision to pay said sums of money.

If this bill becomes a law the schools will have no funds to pay for operating expenses and practically all of our public schools will have to be closed.

As much as I am in sympathy, personally, with relieving the taxpayers of many tax burdens, which I have at all times sought to do, I cannot sign this bill and, therefore, I veto same.

Respectfully yours,

(Signed) FRED P. CONE,  
Governor.

And Senate Bill No. 836 (1939 Session), together with the Governor's objections thereto, was referred to the Committee on Executive Communications.

June 8th, 1939.

Honorable R. A. Gray,  
Secretary of State,  
Tallahassee, Florida:

Dear Mr. Gray:

Pursuant to authority vested in me as Governor of Florida under the provisions of Section 28, Article III of the Constitution of this State, I transmit to you with my objections thereto, Senate Bill No. 849, entitled:

"A bill to be entitled An Act authorizing and directing the State Road Department of Florida to convert a certain railroad Bridge at McIntyre, Florida, on the Ochlockonee River into a Draw-Bridge and pay the costs therefor as State Highway projects are paid for."

The War Department has appropriated \$400,000.00 for the Intra-Coastal Waterway from Carrabelle to Ochlockonee Bay. In this connection it is necessary for the Road Department to convert two of the present highway bridges crossing this canal into draw bridges at an approximate cost of \$300,000.00. The Seaboard Air Line Railroad has a bridge crossing this proposed waterway and has refused to put in a draw as a result of which the government refuses to continue dredging.

This bill attempts to force the State Road Department to build a railroad bridge, and if the Road Department is forced to build this draw bridge on the railroad tracks, it will cost that department more money than the Government is paying for the entire dredging of this canal. It would be a hardship on the Road Department and not fair to other counties of the State who are entitled to benefits of gasoline money. Under the law, the State Road Department has no right to take gasoline money and build railroad bridges and trestles.

As much as I would like to see this enterprise go forward, I am of the opinion that the money of the Road Department paid by the tax payers of Florida, who buy gasoline, should not be used for this purpose, as the general law requires that all Road Department money shall be used for the public road system of our State, therefore, I veto Senate Bill No. 849, passed in regular session of the Legislature of 1939.

Respectfully submitted,  
(Signed) FRED P. CONE,  
Governor.

And Senate Bill No. 849 (1939 Session), together with the Governor's objections thereto, was referred to the Committee on Executive Communications.

June 10, 1939.

Honorable R. A. Gray,  
Secretary of State,  
Tallahassee, Florida.

Dear Mr. Gray:

Pursuant to authority vested in me as Governor of Florida under the provisions of Section 28, Article III of the Constitution of this State I transmit to you with my objections thereto, Senate Bill No. 991, entitled:

"A bill to be entitled An Act providing for tenure of employment of teachers in the Public Schools in Counties of the State of Florida having a population of not more than 80,000 and not less than 64,000 according to the last State census, defining when teachers are entitled to tenure of employment, defining terms used in this Act, and conferring jurisdiction upon the Circuit Court to issue writs of mandamus and certiorari to give effect to the provisions of this Act."

This is a population bill and refers to one county only, therefore, under the decisions of our Supreme Court is illegal and unconstitutional.

It seeks to take away the employment of teachers and the power to run the county schools from the legally constituted officers of the county, namely, the school board, trustees and county superintendent. It takes this one county from under the General Law as it applies to the other sixty-six counties of the State.

Under the terms of this bill a teacher has a life tenure after three years which will be most discouraging to young men and women desiring to enter the teaching profession, and who would be barred from securing positions in Pinellas County under the terms of this bill.

This bill is against our Democratic form of government and takes away the right of home rule and of having the schools controlled and managed by the duly elected officers of the community in which the schools are located. It definitely tends to build up a life tenure in office which is contrary to the American form of Democratic Government. The State of Florida as a whole is now contributing most of the school funds and the tax payers of the State are burdened with taxes and this bill takes the control and management of the schools in Pinellas County to a large extent from the State of Florida and its duly constituted officers. Therefore, I veto Senate Bill No. 991 passed by the 1939 session of the Legislature.

Respectfully,  
(Signed) FRED P. CONE,  
Governor.

And Senate Bill No. 991 (1939 Session), together with the Governor's objections thereto, was referred to the Committee on Executive Communications.

June 10, 1939.

Honorable R. A. Gray,  
Secretary of State,  
Tallahassee, Florida.

Dear Mr. Gray:

Pursuant to authority vested in me as Governor of Florida under the provisions of Section 28, Article III of the Constitution of this State, I transmit to you with my objections thereto, Senate Bill No. 1000, entitled:

"A bill to be entitled An Act for the relief of Alberto Camero."

The State of Florida is without any funds with which to pay this claim, and the Legislature failed and omitted to provide any source of revenue from which the said claim could be paid, therefore, I veto said bill.

Respectfully,  
(Signed) FRED P. CONE,  
Governor.

April 15, 1941

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And Senate Bill No. 1000 (1939 Session), together with the Governor's objections thereto, was referred to the Committee on Executive Communications.

June 10, 1939.

Honorable R. A. Gray,  
Secretary of State,  
Tallahassee, Florida.

Dear Mr. Gray:

Pursuant to authority vested in me as Governor of Florida under the provisions of Section 28, Article III of the Constitution of this State, I transmit to you with my objections thereto, Senate Bill No. 1061, entitled:

"A bill to be entitled An Act affecting the government of the City of Fernandina, Nassau County, Florida, from the provision of Section 5 of Chapter 18,011, General Laws of Florida, 1937, as amended by the Act of the 1939 Legislature the same being House Bill 1906, which Act is entitled, "An Act relating to license taxes, repealing Chapter 14,491, and Chapter 14,528, Laws of Florida, Acts of 1929; repealing parts of Chapter 2 of Title VI, of Division 1 of the revised General Statutes of Florida of 1920: Repealing Chapter 16,801 and Chapter 17,167, Laws of Florida, Acts of 1935; imposing certain license taxes and providing for the payment and collection thereof, and providing that license taxes shall be a lien on the property of the person liable therefor, under certain circumstances."

The municipality of Fernandina will not be affected by House Bill No. 1906, Section 5 thereof, as the said bill has been vetoed. Accordingly, the City of Fernandina comes under the prior law, therefore, I veto Senate Bill No. 1061.

Respectfully,  
(Signed) FRED P. CONE,  
Governor.

And Senate Bill No. 1061 (1939 Session), together with the Governor's objections thereto, was referred to the Committee on Executive Communications.

June 9, 1939.

Honorable R. A. Gray,  
Secretary of State,  
Tallahassee, Florida.

Dear Mr. Gray:

Pursuant to authority vested in me as Governor of Florida under the provisions of Section 28, Article III of the Constitution of this State, I transmit to you with my objections thereto, Senate Bill No. 1093, entitled:

"A bill to be entitled An Act designating and establishing certain roads in Bradford County, Florida, as State roads."

This bill seeks to designate thirty-three roads in one county as State roads without regard to expense to the State Road Department, or the feasibility of the need of the roads, whether the roads are desired or whether they are useful to the people of the County, to commerce or to the traveling public.

The roads designated are so indefinite that no person knows whether they are needed or will ever be needed for years to come, in fact, it would be impossible for the State Road Department to build or construct these roads and after they were constructed there would never be enough gas tax money in Florida to keep them in repair, much less build bridges over the streams and waterways in order to haul commerce and accommodate traffic.

If we are ever to have roads in Florida, we must have an orderly system of building, according to specifications by qualified engineers and not only the roads but the bridges must be constructed so as to withstand traffic.

A road system of this kind should not be started until a general plan of building, according to the needs of each county in Florida, has been made, then it should be placed in one bill, so that each county could get its fair share of roads designated and an equal amount of the gas taxes for building of such roads necessary for the convenience of the public, commerce and the people in the section through which these roads pass.

The number of roads mentioned in this bill will hardly be useful to the county, its people or to the traveling public, therefore, I veto Senate Bill No. 1093, as passed by the Legislature of 1939.

Respectfully submitted,  
(Signed) FRED P. CONE,  
Governor.

And Senate Bill No. 1093 (1939 Session), together with the Governor's objections thereto, was referred to the Committee on Executive Communications.

June 10th, 1939.

Honorable R. A. Gray,  
Secretary of State,  
Tallahassee, Florida.

Dear Mr. Gray:

Pursuant to authority vested in me as Governor of Florida under the provisions of Section 28, Article III of the Constitution of this State, I transmit to you with my objections thereto, Senate Bill No. 1097, entitled:

"A bill to be entitled An Act providing for tenure of employment of teachers in the public schools in counties of the State of Florida having a population of not more than 170,000 and not less than 100,000, according to the last preceding state or federal census, defining when teachers are entitled to tenure of employment, defining terms used in this Act, and conferring jurisdiction upon the Circuit Court to issue writs of mandamus and certiorari to give effect to the provisions of this Act."

This is a population bill and refers to one county only, therefore, under the decisions of our Supreme Court is illegal and unconstitutional.

It seeks to take away the employment of teachers and the power to run the county schools from the legally constituted officers of the county, namely, the school board, trustees, and county superintendent. It takes this one county from under the general law as it applies to the other sixty-six counties of the State.

Under the terms of this bill a teacher has a life tenure after three years which will be most discouraging to young men and women desiring to enter the teaching profession, and who would be barred from securing positions in Hillsborough County under the terms of this bill.

This bill is against our Democratic form of government and takes away the right of home rule and of having the schools controlled and managed by the duly elected officers of the community in which the schools are located. It definitely tends to build up a life tenure in office which is contrary to the American form of Democratic Government. The State of Florida as a whole is now contributing most of the school funds, and the tax payers of the State are burdened with taxes and this bill takes the control and management of the schools in Hillsborough County to a large extent from the State of Florida and its duly constituted officers.

Therefore, I veto Senate Bill No. 1097 passed in the 1939 session of the Legislature.

Respectfully,  
(Signed) FRED P. CONE,  
Governor.

And Senate Bill No. 1097 (1939 Session), together with the Governor's objections thereto, was referred to the Committee on Executive Communications.

June 8th, 1939.

Honorable R. A. Gray,  
Secretary of State,  
Tallahassee, Florida.

Dear Mr. Gray:

Pursuant to authority vested in me as Governor of Florida under the provisions of Section 28, Article III of the Constitution of this State, I transmit to you with my objections thereto, Senate Bill No. 1098, entitled:

"A bill to be entitled An Act providing that in all Counties of the State of Florida having a population of not less than 60,000 and not more than 80,000 according to the last preceding State Census The provision of Chapter 18,292, Laws of Florida, Acts of 1937, same being An Act relating to and concerning taxation and providing for the sale of tax certificates together with subsequent omitted or levied taxes; and further providing for vesting of title to land covered by tax certificates in State of Florida, shall not apply and shall be of no force and effect in such counties; repealing all laws in conflict herewith."

This bill is passed as a local bill but has an effect of the State Law which is Chapter 18296, Laws of Florida, 1937, and tends to put liens of cities and towns superior to State liens and prevents the State from collecting its taxes that conserves the taxes of cities and municipalities.

It would be unfair to the remaining portion of the State or citizens who paid their street liens and other taxes assessed and against other counties and cities who do not have these liens.

This is a population bill and unconstitutional, therefore I veto same.

Respectfully,  
(Signed) FRED P. CONE,  
Governor.

And Senate Bill No. 1098 (1939 Session), together with the Governor's objections thereto, was referred to the Committee on Executive Communications.

June 10th, 1939.

Honorable R. A. Gray,  
Secretary of State,  
Tallahassee, Florida.

Dear Mr. Gray:

Pursuant to authority vested in me as Governor of Florida under the provisions of Section 28, Article III of the Constitution of this State, I transmit to you with my objections thereto, Senate Bill No. 1152, entitled:

"A bill to be entitled An Act providing for tenure of employment of teachers in the public schools in Counties of the State of Florida having a population of not more than 8,845 and not less than 8,800, according to the last preceding State or Federal Census, defining when teachers are entitled to tenure of employment, defining terms used in this Act and conferring jurisdiction upon the Circuit Court to issue writs of mandamus and certiorari to give effect to the provisions of this Act."

This is a population bill and refers to one county only. therefore, under the decisions of our Supreme Court is illegal and unconstitutional.

It seeks to take away the employment of teachers and the power to run the county schools from the legally constituted officers of the County namely the School Board, Trustees and County Superintendent. It takes this one County from under the General Law as it applies to the other sixty-six Counties of the State.

Under the terms of this bill a teacher has a life tenure after three years which will be most discouraging to young men and women desiring to enter the teaching profession, and who would be barred from securing positions in Bradford County under the terms of this bill.

This bill is against our Democratic form of Government and takes away the right of home rule and of having the schools controlled and managed by the duly elected officers of the community in which the schools are located. It definitely tends to build up a life tenure in office which is contrary to the American form of Democratic Government. The State of Florida as a whole is now contributing most of the school funds, and the tax payers of the State are burdened with taxes and this bill takes the control and management of the schools in Bradford County to a large extent from the State of Florida, and its duly constituted officers.

Therefore, I veto Senate Bill No. 1152 passed by the 1939 Session of the Legislature.

Respectfully,  
(Signed) FRED P. CONE,  
Governor.

And Senate Bill No. 1152 (1939 Session), together with the Governor's objections thereto, was referred to the Committee on Executive Communications.

June 8th, 1939.

Honorable R. A. Gray,  
Secretary of State,  
Tallahassee, Florida.

Dear Mr. Gray:

Pursuant to authority vested in me as Governor of Florida under the provisions of Section 28, Article III of the Constitution of this State, I transmit to you with my objections thereto, Senate Bill No. 1160, entitled:

"A bill to be entitled An Act providing that in all Counties of the State of Florida having a population of not less than 7,000 and not more than 7,500, according to the last preceding State census, the provisions of Section 9 of Chapter 18296, Laws of Florida of 1937, shall not apply to any lots, parcels or tracts of land where the County or any Municipality or any Drainage District, or other taxing authority in the said County

holds a lien, other than a State and County Tax Lien, on said lots, parcels or tracts of land by virtue of any valid law of said State of Florida."

This bill is passed as a local bill but has an effect on the State Law which is Chapter 18296, Laws of Florida, 1937, and tends to put liens of cities and towns superior to State liens and prevents the State from collecting its taxes that conserves the taxes of cities and municipalities.

It would be unfair to the remaining portion of the State or citizens who paid their street liens and other taxes assessed and against other counties and cities who do not have these liens.

This is a population bill and unconstitutional, therefore I veto same.

Respectfully,  
(Signed) FRED P. CONE,  
Governor.

And Senate Bill No. 1160 (1939 Session), together with the Governor's objections thereto, was referred to the Committee on Executive Communications.

June 8th, 1939.

Honorable R. A. Gray,  
Secretary of State,  
Tallahassee Florida.

Dear Mr. Gray:

Pursuant to authority vested in me as Governor of Florida under the provisions of Section 28, Article III of the Constitution of this State, I transmit to you with my objections thereto, Senate Bill No. 1190, entitled:

"A bill to be entitled An Act providing that in all Counties of the State of Florida having a population of no less than 9,000 and not more than 9,700, according to the last preceding State census, the provisions of Section 9 of Chapter 18296, Laws of Florida of 1937, shall not apply to any lots, parcels or tracts of land where the County or any Municipality or any Drainage District, or other taxing authority in the said County holds a lien, other than a State and County Tax Lien, on said lots, parcels or tracts or land by virtue of any valid law of said State of Florida."

This bill is passed as a local bill but has an effect on the State Law which is Chapter 18296, Laws of Florida, 1937, and tends to put liens of cities and towns superior to State liens and prevents the State from collecting its taxes that conserves the taxes of cities and municipalities.

It would be unfair to the remaining portion of the State or citizens who paid their street liens and other taxes assessed and against other counties and cities who do not have these liens.

This is a population bill and unconstitutional, therefore I veto same.

Respectfully,  
(Signed) FRED P. CONE,  
Governor.

And Senate Bill No. 1190 (1939 Session), together with the Governor's objections thereto, was referred to the Committee on Executive Communications.

June 9th, 1939.

Honorable R. A. Gray,  
Secretary of State,  
Tallahassee Florida.

Dear Mr. Gray:

Pursuant to authority vested in me as Governor of Florida under the provisions of Section 28, Article III of the Constitution of this State, I transmit to you with my objections thereto, Senate Bill No. 1213, entitled:

"A bill to be entitled An Act to declare, designate and establish certain State Roads in Hardee County."

This bill seeks to designate five roads in one County as State Roads without regard to expense to the State Road Department of the feasibility of the need of the roads, whether the roads are desired or whether they are useful to the people of the County, to commerce or to the traveling public.

The roads designated are so indefinite that no person knows whether they are needed or will ever be needed for years to come, in fact, it would be impossible for the State Road Department to build or construct these roads and after they were constructed there would never be enough gas tax money in Florida to keep them in repair, much less build bridges over the streams and waterways in order to haul commerce and accommodate traffic.

If we are ever to have roads in Florida, we must have an



orderly system of building, according to specifications by qualified engineers and not only the roads but the bridges must be constructed so as to withstand traffic.

A road system of this kind should not be started until a general plan of building, according to the needs of each County in Florida has been made, then it should be placed in on a bill, so that each County could get its fair share of roads designated and an equal amount of the gas taxes for building of such roads necessary for the convenience of the public, commerce and the people in the section through which these roads pass.

The number of roads mentioned in this bill will hardly be useful to the County, its people or to the traveling public, therefore, I veto Senate Bill No. 1213 as passed by the Legislature of 1939.

Respectfully submitted,

(Signed) FRED P. CONE,

Governor.

And Senate Bill No. 1213 (1939 Session), together with the Governor's objections thereto, was referred to the Committee on Executive Communications.

June 9, 1939.

Honorable R. A. Gray,  
Secretary of State,  
Tallahassee, Florida.

Dear Mr. Gray:

Pursuant to authority vested in me as Governor under the provisions of Section 28, Article III of the Constitution of Florida, I transmit to you with my objection thereto Senate Bill 1216 entitled:

"A bill to be entitled An Act to provide for the refunding to the several counties of the State of Florida of such sum of money as will equal the amount of money by such counties, respectively, paid or to be paid, or property allowable as interest upon moneys furnished, advanced, contributed, paid out or expended by such counties, respectively, in the construction of that portion of the State Road system of this State comprehended within the provisions of Chapter 15659, Laws of Florida Acts of 1931; declaring the money so expended or to be expended as having been incurred by the counties for a proper State purpose: Providing for an additional audit to ascertain the credits allowable hereunder, making an appropriation from the proceeds of the second gas tax levied and assessed by said Chapter 15659, Acts of 1931, for the cost of the audit provided for herein and for the refunding to such counties of the said sums above mentioned; providing the method of distribution of the credits hereunder; and prescribing the duties of certain officials in carrying out the purposes of this Act."

I am withholding my approval of this Bill for the following reasons:

1. This Bill enlarges the participation of counties in the distribution of the second gasoline tax as originally contemplated under Chapter 15659, Acts of 1931, by additional reimbursements, (a) for all interest actually paid on county road and bridge bonds prior to July 1, 1939, on bonds issued for the construction of those roads included in the provisions of said 1931 Act, and (b) also, for amounts equal to interest required to be paid in the future until the maturity of such bonds, (c) also, for amounts equal to interest at 5% on any monies advanced by counties from cash on hand for, or incident to, the construction of roads certified under said 1931 Act, on which no interest was paid during the period from January 1 1915, to December 31, 1938.

Florida urgently needs State-wide modern highway construction. Under our laws such construction is possible only through the use of the proceeds of Gasoline Taxes. These taxes are paid by highway users who are entitled to value received for their money. Such a wholesale gift of State monies to individual counties at the expense of the State Highway System and of the public using the same, as contemplated in this Bill, would, in my opinion, be unfair and improper.

2. The monies received by the several counties under this Bill will vary widely. This variance will be directly reflected in the surpluses over interest requirements coming to the several counties. A comparatively few counties will have huge surpluses and the remaining counties will have little or none. This will result in a feast of road construction in a few counties and a famine of such construction in all the remaining counties, as the only practicable source of money for road construction comes from these surpluses.

3. The State Road Department is the duly established State agency clothed with the exclusive authority to construct a coordinated road system throughout the State. Such a system would benefit the people of all the counties and not those residing in a few localities. Instead of Florida developing such a continuous, comprehensive road system, a "crazy-quilt" road system would result if this Bill became a law.

4. By no means the least objection to this Bill is that its effect apparently conflicts with Section 12 of the Federal Hayden-Cartwright Act. Its enactment would expose the State to the penalty therein prescribed, and would probably result in depriving Florida of not less than Five Hundred Thousand Dollars (\$500,000.00) per year of Federal Aid Funds.

5. Finally, in view of Section 6 of Article 9 of the Constitution, there is room for serious doubt whether our Supreme Court would recognize as a legitimate State purpose the payment of State tax money to counties for past and future interest on their own county funds used in the construction of narrow and out-moded roads long since worn out by years of travel.

One of our Supreme Court Justices in an opinion upholding the said 1931 Gasoline Tax Act, stated the Court "went the limit." And that Act allowed no credits for interest paid or to be paid by the counties.

Because of these objections and others that could be made, under the authority granted me by the Constitution of Florida, I veto said Senate Bill 1216.

Respectfully yours,

(Signed) FRED P. CONE,  
Governor of Florida.

And Senate Bill No. 1216 (1939 Session), together with the Governor's objections thereto, was referred to the Committee on Executive Communications.

June 9th, 1939.

Honorable R. A. Gray,  
Secretary of State,  
Tallahassee, Fla.

Dear Mr. Gray:

Pursuant to authority vested in me as Governor under the provisions of Section 28, Article III of the Constitution of Florida, I transmit to you with my objections thereto Senate Bill 1217 entitled:

"A bill to be entitled An Act to provide for the refunding to each County of the State of Florida of all moneys which have been furnished, advanced, paid out, distributed or expended during the period of time extending from January 1, 1915, to January 1, 1939, in the construction or building of any such County or Counties or any special road and bridge district or other special taxing district, of any road or roads which have been designated a State road prior to January 1, 1939, not including any amounts certified as credits to the several counties pursuant to Chapter 15659, Laws of Florida, Acts of 1931, declaring such roads to have been built for State purposes and as being State undertakings; making an appropriation from the proceeds of the second gas tax levied and assessed by said Chapter 15659, for the cost of the audit provided for herein and for the refunding to such Counties of the said sums above mentioned; providing the method of distribution and use of the credits hereunder; and prescribing the duties of certain officials in carrying out the provisions of this Act."

I am withholding my approval of this Bill for the following reasons:

1. This Bill enlarges the participation of counties in the distribution of the Second Gasoline Tax as originally contemplated under Chapter 15659, Acts of 1931, by additional reimbursements to the counties for all monies expended or contributed by them during the period from December 31, 1914, to January 1, 1939, in and for the construction of roads which have been designated as State Roads subsequent to the passage of said 1931 Act and prior to January 1, 1939.

In effect the Bill requires the State to pay the counties the original construction cost of narrow and out-moded roads long since worn out by years of local use.

In my opinion this would be an improvident and improper expenditure of State funds. No prudent business man would expend his personal funds in like manner. As Governor I cannot willingly allow State funds to be so used.

2. Florida urgently needs State-wide modern highway construction. Under our laws such construction is possible only through the use of the proceeds of gasoline taxes. These taxes are paid by highway users who are entitled to value

received for their money. Such a wholesale gift of State monies to individual counties at the expense of the State Highway System and of the public using the same as contemplated in this Bill would, in my opinion, be unfair and improper.

3. The money received by the several counties in this Bill will vary widely, depending upon their number of roads. This variance will be directly reflected in the surpluses in the County accounts from gasoline taxes. A comparatively few counties will have huge surpluses, and the remaining counties will have little or none. This will result in a feast of road construction in a few counties, and a famine of such construction in all the remaining counties, as the only practicable source of money for road construction comes from these surpluses.

4. The State Road Department is the duly established State agency clothed with the exclusive authority to construct a coordinated road system throughout the State. Such a system would benefit the people of all the counties and not those residing in a few localities. Instead of Florida developing continuous, comprehensive road, a "crazy-quilt" road system would result if this Bill became a law.

5. By no means the least objection of this Bill is its effect apparently conflicts with Section 12 of the Federal Hayden-Cartwright Act. Its enactment would expose the State to the penalty therein prescribed and would probably result in depriving Florida of not less than Five Hundred Thousand Dollars (\$500,000.00) a year of Federal Aid Funds.

Because of these objections and others that could be made under the authority granted me by the Constitution of Florida. I veto said Senate Bill 1217.

Respectfully yours,

FRED P. CONE,  
Governor of Florida.

And Senate Bill No. 1217 (1939 Session), together with the Governor's objections thereto, was referred to the Committee on Executive Communications.

June 9th, 1939.

Honorable R. A. Gray,  
Secretary of State,  
Tallahassee, Fla.

Dear Mr. Gray:

Pursuant to authority vested in me as Governor under the provisions of Section 28, Article III of the Constitution of Florida, I transmit to you with my objections thereto, Senate Bill 1219 entitled:

"A bill to be entitled An Act relating to the Board of Administration established by Chapter 14486, Laws of Florida, Acts of 1929, being entitled: 'An Act providing for depository of sinking funds and delinquent taxes and other moneys for road and bridge indebtedness of the counties and special road and bridge districts of the state or otherwise authorizing the issuance of refunding bonds by said counties and special road and bridge districts, and providing for the creation of a board of administration and the disbursement of such funds to pay such indebtedness and the use of any surplus in any county for the construction and maintenance of roads and bridges' as amended by Chapter 15891, Laws of Florida, Acts of 1933, which said Act of 1933 provided certain additional powers and duties of the State Board of Administration in connection with its functions as the fiscal agent for the several counties of the State of Florida with reference to road districts, road and bridge district, special road and bridge district, and County road bonds and bond issues subject to said Chapter 14486, Laws of Florida, Acts of 1929, so as to provide for participation in the distribution provided in said Act of 1929, as so amended of bonds as redefined herein, issued, delivered and outstanding on or prior to July 1, 1931, or bonds issued to refund the same; and prescribing the duties of said State Board of Administration in connection therewith; but in no manner affecting the apportionment, allotment, allocation or formula therefor of any gasoline tax moneys payable under the laws of Florida; and repealing all laws or parts of laws in conflict herewith and providing for an effective date hereof."

I am withholding my approval of this bill for the following reasons:

1. The general effect of this Bill is to extend the benefits of the original Board of Administration Act (Chapter 14486, 1929) to cover bonds and other forms of indebtedness issued for road and/or bridge purposes by any County or District that were issued and outstanding on or prior to July 1, 1931.

Said original Act limited said benefits to bonds and other forms of indebtedness issued and outstanding on April 1, 1929.

The only other provision in this Bill not included in the original Act of 1929 is that the participating bonds shall be those herein above mentioned "or bonds issued to refund the same."

This phrase is repeated several times in this Bill. If the word "or" in the above quoted phrase is intended to be equivalent to the word "and," there is no need for this phrase in the Act because such is already the law. However, this word "or" may be construed to exclude the original bonds which have not been actually exchanged or paid off, and then the Bill would become an instrument of coercion. It would leave the County to be subjected to an ad valorem tax to pay the non-exchanged or unpaid original bonds, and thus deprive the taxpayers of the benefits and protection which the Board of Administration Act of 1929 was intended to afford them.

In justice to the taxpayers I cannot approve this Bill in the fact of the above doubt in its construction.

2. It has been said that this Bill was intended for the relief of a very few counties which would benefit thereby, to the exclusion of all the remaining counties. If this be true then it would furnish an additional reason for withholding my approval, because the Bill would really be a Special Act in the form of a General Law discriminating against the vast majority of Counties in the State.

In view of its doubtful construction and the uncertainty of its application. I veto this Senate Bill 1219.

Respectfully yours,

FRED P. CONE,  
Governor of Florida.

And Senate Bill No. 1219 (1939 Session), together with the Governor's objections thereto, was referred to the Committee on Executive Communications.

June 9th, 1939.

Honorable R. A. Gray,  
Secretary of State,  
Tallahassee, Fla.

Dear Mr. Gray:

Pursuant to authority vested in me as Governor of Florida under the provisions of Section 28, Article III of the Constitution of this State, I transmit to you with my objections thereto, Senate Bill No. 1221, entitled:

"A bill to be entitled An Act to declare, designate and establish as a part of the State Road System the following roads in Suwannee County named and known by the Board of County Commissioners of Suwannee County, Florida."

This bill seeks to designate ninety-two roads in one County as State Roads without regard to expense to the State Road Department or the feasibility of the need of the roads, whether the roads are desired or whether they are useful to the people of the County, to commerce or to the traveling public.

The roads designated are so indefinite that no person knows whether they are needed or will ever be needed for years to come, in fact, it would be impossible for the State Road Department to build or construct these roads and after they were constructed there would never be enough gas tax money in Florida to keep them in repair, much less build bridges over the streams and waterways in order to haul commerce and accommodate traffic.

If we are ever to have roads in Florida, we must have an orderly system of building, according to specifications by qualified engineers and not only the roads but the bridges must be constructed so as to withstand traffic.

A road system of this kind should not be started until a general plan of building, according to the needs of each County in Florida has been made, then it should be placed in one bill, so that each County could get its fair share of roads designated and an equal amount of the gas taxes for building of such roads necessary for the convenience of the public, commerce and the people in the section through which these roads pass.

The number of roads mentioned in this Bill will hardly be useful to the County, its people or to the traveling public, therefore, I veto Senate Bill No. 1221 as passed by the Legislature of 1939.

Respectfully submitted,

FRED P. CONE,  
Governor.

And Senate Bill No. 1221 (1939 Session), together with the Governor's objections thereto, was referred to the Committee on Executive Communications.

The hour of adjournment having arrived, a point of order was called and the Senate took a recess at 1:07 o'clock P. M. until 3:00 o'clock P. M., this day.

## AFTERNOON SESSION

The Senate reconvened at 3:00 o'clock P. M., pursuant to recess order.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—38.

A quorum present.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senators Parker, Cooley, Kanner, Lewis, Rose, Shepherd, Hinely, Perdue, Butler, Adams (30th), King, Collins, Graham, Clarke, Maddox, Maines, Taylor, McKenzie, Ward, Wilson, Beall, Shuler, Folks and Kelly—

Senate Bill No 35:

A bill to be entitled An Act relating to Pari-Mutual Pools, commissions thereon, the distributions thereof, the "breaks" and defining same, regulating the purchase and sale of an interest in any such pool, making it a crime to violate such regulations and amending Section 16 of Chapter 14832 Laws of Florida, Acts of 1931, as amended by Section 10 of Chapter 17276, Laws of Florida, Acts of 1935, relative thereto; and levying a tax upon every licensee conducting a horse race meet, or operating a race track equal to five per centum of the total contributions to all pari-mutuel pools on horse races in addition to all other taxes otherwise levied or assessed; and providing when and where said taxes shall be paid, making an appropriation thereof and designating said tax as the "old age assistance tax," and providing a penalty for wilful or wanton non-payment of tax.

Which was read the first time by title only.

Senator Parker moved that the rules be waived and Senate Bill No. 35 be read the second time by title only.

Pending adoption of the motion made by Senator Parker, Senator Dye moved that the rules be waived and each Senator b. allowed five (5) minutes to speak on the question.

Which was not agreed to.

The question recurred on the adoption of the motion made by Senator Parker that the rules be waived and Senate Bill No. 35 be read the second time by title only.

Upon adoption of the motion made by Senator Parker a roll call was demanded and the vote was:

Yeas—Senators Beall, Butler, Clarke, Cliett, Collins, Cooley, Folks, Graham, Hinely, Kanner, King, Lewis, Maines, Parker, Perdue, Rose, Shands, Shepherd, Taylor, Ward, Wilson—21.

Nays—Mr. President; Senators Adams (25th), Adams (30th), Drummond, Dye, Gideons, Horne, Housholder, Johnson, Kelly, Lindler, Maddox, McKenzie, Price, Shuler, Smith, Whitaker—17.

So the motion failed of adoption and Senate Bill No. 35 was referred to the Committee on Miscellaneous Legislation.

By Senator Hinely—

Senate Bill No. 36:

A bill to be entitled An Act to require auto Transportation Companies transporting persons for compensation to stop at all County Seats in all Counties of the State of Florida on all schedules; and to require all Auto Transportation Companies transporting persons for compensation to maintain proper waiting rooms in all cities and towns on their schedules having a population of 2,000 or more.

Which was read the first time by title only and referred to the Committee on Transportation and Traffic.

By Senators Kanner, Smith, Whitaker, and Shands (by request)—

Senate Bill No. 37:

A bill to be entitled An Act creating a State Board of Naturopathic Medical Examiners, providing for their appoint-

ment, compensation, powers and duties; providing for examining and licensing Doctors of Naturopathy, and/or Naturopathic Physicians, recording of licenses registration of Doctors of Naturopathy, and/or Naturopathic Physicians and the revocation of licenses under certain conditions; to define Naturopathic medicine and Naturopathy and to authorize and regulate the practice of Naturopathic medicine and Naturopathy by Naturopathic Physicians and to provide for the issuance to holders of licenses heretofore issued new licenses or certificates under this Act and to provide penalties for the violation of this Act.

Which was read the first time by title only and referred to the Committee on Public Health.

By Senator Horne—

Senate Bill No. 38:

A bill to be entitled An Act to amend Section 5995, Revised General Statutes of Florida 1920, the same being Section 8289, Compiled General Laws of Florida, 1927, as amended by Chapter 18002, Laws of Florida, Acts of 1937, the same being laws relating to Jurisdiction of Justices of the Peace and County Judges in Criminal Cases; the effect of this Act being to vest jurisdiction in Justices of the Peace to hold a court to try and determine certain misdemeanor cases arising in their respective districts.

Which was read the first time by title only and referred to the Committee on Judiciary "C".

By Senator Adams (30th)—

Senate Bill No. 39:

A bill to be entitled An Act to amend Section 1018 of the Revised General Statutes of Florida, relating to the operation of motor vehicles, trailers, semi-trailers and motorcycle side cars, by directing the Motor Vehicle Commissioner to select and place on all number plates a slogan or emblem, which in his opinion will advertise the resources, advantages, history and development of the State of Florida.

Which was read the first time by title only and referred to the Committee on Motor Vehicles.

By Senators Smith and Adams (30th)—

Senate Bill No. 40:

A bill to be entitled An Act to appropriate to the old age assistance and dependent children's funds all revenues and funds collected under all Beverage or Intoxicating Liquor Statutes not otherwise heretofore appropriated.

Which was read the first time by title only and referred to the Committee on Appropriations.

By Senator Smith—

Senate Bill No. 41:

A bill to be entitled An Act to amend Section 3191, Revised General Statutes of Florida, 1920, the same being Section 4983, Compiled General Laws of Florida, 1927, relating to divorce and stating the grounds therefor.

Which was read the first time by title only and referred to the Committee on Judiciary "C".

By Senator Smith—

Senate Bill No. 42:

A bill to be entitled An Act for the relief of Mary V Cherry, widow, Clay County, Florida, and making appropriations therefor, as compensation for the loss of her husband, T. S. Cherry who, as Sheriff of Clay County, Florida, was killed while performing service in the line of duty.

Which was read the first time by title only and referred to the Committee on Pensions and Claims.

By Senator Whitaker—

Senate Bill No 43:

A bill to be entitled An Act providing for tenure of employment of teachers in the Public Schools of Hillsborough County, Florida; defining terms used in said Act; providing when teachers are entitled to tenure of employment and the causes for which such teachers may be discharged or demoted and prescribing the procedure thereof; and conferring jurisdiction upon the Circuit Court to issue writs of mandamus and certiorari in order to give effect to the provisions of said Act.

The following proof of publication was attached to Senate Bill No. 43 when it was introduced in the Senate:

PUBLISHER'S AFFIDAVIT  
TAMPA MORNING TRIBUNE  
Published Daily

Tampa, Hillsborough County, Florida  
COUNTY OF HILLSBOROUGH)

) SS.

STATE OF FLORIDA

Before the undersigned authority personally appeared J. S. Mims, who on oath says that he is General Manager of the Tampa Morning Tribune, a daily newspaper published at Tampa in Hillsborough County, Florida; that the attached copy of advertisement, being a NOTICE OF APPLICATION FOR LOCAL OR SPECIAL LAW in the matter of ENACTMENT OF A SPECIAL OR LOCAL LAW FOR HILLSBOROUGH COUNTY, FLORIDA WHICH SHALL PROVIDE FOR TENURE OF EMPLOYMENT OF TEACHERS, ETC. in the

was published in said newspaper in the issues of

February 28, 1941

Affiant further says that the said Tampa Morning Tribune is a newspaper published at Tampa, in said Hillsborough County, Florida, and that the said newspaper has heretofore been continuously published in said Hillsborough County, Florida each day and has been entered as second class mail matter at the post office in Tampa, in said Hillsborough County Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person firm, or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

J. S. MIMS.

Sworn to and subscribed before me, this 28th day of February, A. D. 1941.

DELORES A. VEGA,  
Notary Public, in and for State  
of Florida at Large.

(Seal) My commission expires  
January 9, 1944.

#### NOTICE OF APPLICATION FOR LOCAL OR SPECIAL LAW

Notice is hereby given of the intention to apply to the Legislature of the State of Florida, at its next regular session, for the enactment of a special or local law for Hillsborough County, Florida, which shall provide for tenure of employment of teachers in the public schools of said county, when such teachers are entitled to tenure of employment, and the causes for which such teachers may be discharged or demoted, and prescribing the procedure therefor, and conferring jurisdiction upon the Circuit Court of said county to issue writs of mandamus and certiorari in order to give effect to the provisions of said Act, and that all teachers holding certificates and possessing such other qualifications as are required by the laws of the State of Florida to make such persons eligible to teach in the public schools of said county, who have taught school or been employed in the schools of said county or any special tax school district thereof during a period of three consecutive years for the school term therein, whether such period shall have been completed before or shall be completed subsequent to the enactment of said law, if thereafter re-employed shall continue in the service in which they are so employed, without reduction in their compensation, during good behavior and efficient and competent service, and shall not be discharged or demoted save for one or more of the causes therein specified.

RANDOLPH McLAUGHLIN,  
D. V. GIUNTA,  
G. F. WILSON.

Which was read the first time by title only.

Senator Whitaker moved that the rules be waived and Senate Bill No. 43 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 43 was read the second time by title only.

Senator Whitaker moved that the rules be further waived and Senate Bill No. 43 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 43 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams (25), Adams, (30th), Beall, Butler, Clarke, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Housholder, Kanner, Kelly,

King, Lewis, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands Shepherd, Shuler, Smith, Taylor, Ward, Whitaker and Wilson—36.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered to be certified to the House of Representatives immediately, by waiver of the rule.

By Senator Parker—

Senate Bill No. 44:

A bill to be entitled An Act amending Section 5,472, revised General Statutes (Section 7,616 compiled General Laws), relating to intoxicated persons.

Which was read the first time by title only and referred to the Committee on Judiciary "B".

By Senator Wilson—

Senate Bill No. 45:

A bill to be entitled An Act to fix the times for holding the regular terms of County Court in Gadsden County, Florida.

The following proof of publication was attached to Senate Bill No. 45 when it was introduced in the Senate:

STATE OF FLORIDA,  
COUNTY OF GADSDEN.

Before the undersigned authority personally appeared Louise Coleman secretary of The Quincy Publishing Company, who on oath does solemnly swear that she has knowledge of the matters stated herein; that a notice stating the substance of a contemplated law or proposed bill relating to Changing the Regular Term of the County Court in Gadsden County, Florida, has been published at least thirty days prior to this date, by being printed in the issues of March 6, 20, 27 and April 3, 1941, of the Gadsden County Times, a newspaper published in Gadsden County, Florida; that a copy of the notice that has been published as aforesaid and also this affidavit of proof of publication are attached to the proposed bill or contemplated law, and such copy of the notice so attached is by reference made a part of this affidavit.

LOUISE COLEMAN.

Sworn to and subscribed before me this 5th day of April, 1941.

(Seal)

WILLIAM D. LEWIS.

Notary public, State of Florida at large. My commission expires Oct. 5, 1941.

#### NOTICE OF INTENTION TO APPLY FOR THE PASSAGE OF A LOCAL ACT

This is to give notice that the undersigned intend to apply to the 1941 session Legislature of State of Florida for the passage of the following Act:

An Act to fix the times for holding the regular terms of County Court in Gadsden County, Florida.

Be It Enacted by the Legislature of Florida:

Section 1. That there shall be four regular terms of the County Court in Gadsden County, Florida, which terms shall be as follows:

A term of said court shall begin on the second Monday in February, May, August and November of each year.

Section 2. All laws or parts of laws in conflict with any provision of this Act are hereby repealed.

Section 3. This Act shall take effect immediately upon becoming a law.

HOPE HINES,  
J. S. CURRY,  
E. E. BASS,  
W. P. WOODBERRY,  
O. E. McKEOWN.

3-20-3t

Which was read the first time by title only.

Senator Wilson moved that the rules be waived and Senate Bill No. 45 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 45 was read the second time by title only.

Senator Wilson moved that the rules be further waived and Senate Bill No. 45 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 45 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Housholder, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward Whitaker and Wilson—36.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered to be certified to the House of Representatives immediately, by waiver of the rule.

By Senator Cooley—

Senate Bill No. 46:

A bill to be entitled An Act to amend Section 16 of Chapter 18285, Laws of Florida, 1937, as amended by adding thereto a subsection authorizing the State Welfare Board in its discretion to sell any personal property that it may acquire or have acquired by way of donation, gift, contribution, bequest or devise from any person, persons or organizations; directing that all moneys derived from such sale be transmitted to the State Treasury to be credited to the State Welfare Board; authorizing the use by the State Welfare Board of any moneys realized from such sales; declaring the intention of the Legislature in connection therewith; regulating the withdrawal of such moneys and appropriating such moneys to the use of the State Welfare Board in addition to other funds which have been or may otherwise be appropriated for public aid and social welfare purposes; repealing all laws in conflict herewith; and providing for the effective date hereof.

Which was read the first time by title only and referred to the Committee on Welfare.

By Senator Cooley—

Senate Bill No. 47:

A bill to be entitled An Act to amend Section 22, Chapter 18285, Laws of Florida, 1937, as amended, by adding thereto provisions enabling the State Welfare Board, under its rule making power, and in addition to other powers thereunder, to establish and enforce rules and regulations governing the custody, use, and preservation of the records, papers, files and communications of the Board; requiring all other agencies or departments of government to whom names and addresses of recipients of public assistance are furnished or held, under provisions of law, to adopt regulations necessary to prevent the publication of lists thereof or their use for purposes not directly connected with the administration of public aid and social welfare; making it unlawful, except for purposes directly connected with the administration of general assistance, old age assistance, aid to the blind, or aid to dependent children, and in accordance with the rules and regulations of the State Welfare Board for anyone knowingly to solicit, disclose, receive, make use of, or to authorize, knowingly permit, participate or acquiesce in the use of, any list of or names of or any information concerning persons applying for or receiving such assistance directly or indirectly derived from the records, papers, files or communications of the State Welfare Board or any district boards or agency thereof, or acquired in the course of the performance of official duties; making such violation a misdemeanor and providing penalties for the violation thereof; repealing all laws in conflict herewith; and providing for the effective date hereof.

Which was read the first time by title only and referred to the Committee on Welfare.

By Senator Cooley—

Senate Bill No. 48:

A bill to be entitled An Act appropriating all unexpended funds of the annual appropriation provided for in Section 23, Chapter 18285, Laws of Florida, Acts of 1937, as amended, at the end of the fiscal year, June 30th, to the State Welfare Fund.

Which was read the first time by title only and referred to the Committee on Appropriations.

By Senator Cooley—

Senate Bill No. 49:

A bill to be entitled An Act providing for leaves of absence to certain State and County Officers called into active service

in the Volunteer Forces of the United States, the National Guard, or the Regular Army or Navy of the United States in time of war, or when a state of emergency in the United States is proclaimed to exist by the President of the United States; providing the terms and conditions thereof; how the duties of such officers shall be performed, and providing that no such officer shall suffer prejudice in the matter of his right to retirement pay or pension.

Which was read the first time by title only and referred to the Committee on Judiciary "A".

By Senator Cooley—

Senate Bill No. 50:

A bill to be entitled An Act to amend Section 17, Chapter 18285, Laws of Florida, 1937, as amended by raising the maximum monthly Old Age Assistance benefits payable under said Act from Thirty (\$30.00) Dollars, to Forty (\$40.00) Dollars.

Which was read the first time by title only and referred to the Committee on Welfare.

By Senator Cooley—

Senate Bill No. 51:

A bill to be entitled An Act to amend Section 18 of Chapter 18285, Acts of 1937, as amended, by increasing from Thirty Dollars to Forty Dollars the maximum monthly assistance to be paid to needy blind residents of the State of Florida; directing the State Welfare Board to promote the welfare of blind persons, persons with seriously impaired vision and persons suffering from conditions which might lead to blindness; directing the appointment of the State Welfare Board of an advisory committee for the blind, and outlining the qualifications and terms of the members thereof; authorizing cooperation with the State Board of Health and other agencies in the prevention of blindness, and authorizing payment in certain cases by the State Welfare Board for medical and surgical treatment; directing the compilation of a register of the blind; authorizing the State Welfare Board, in cooperation with the division of vocational rehabilitation of the Department of Education of the State of Florida, to maintain services for vocational aid and training, and specifying the objects thereof; appropriating sufficient moneys to carry out the purposes of the Act; providing a saving clause in the event of unconstitutionality of any part hereof; and providing for the effective date hereof.

Which was read the first time by title only and referred to the Committee on Welfare.

By Senators Adams (30th) Folks, Maines, Parker, Horne, Perdue, Shands, Smith, Lewis, Wilson, Hinely, Housholder, Adams (25th) Clarke, Kelly, Lindler, and Beall—

Senate Bill No. 52:

A bill to be entitled An Act to provide for the purchase, distribution and Administration of Anti-Hog Cholera Serum and Hog Cholera Virus by the State Live Stock Sanitary Board; Making an Appropriation Therefor; and Repealing Chapter 19006 Laws of Florida, Acts of 1939, and Repealing all Laws in Conflict Herewith.

Which was read the first time by title only and referred to the Committee on Agriculture and Livestock and the Committee on Appropriations, jointly.

By Senator Beall—

Senate Bill No. 53:

A bill to be entitled An Act fixing the salaries of the Judges of the Circuit Court payable by the State of Florida, making appropriation to pay the same, and repealing conflicting laws.

Which was read the first time by title only and referred to the Committee on Judiciary "A".

By Senator Beall—

Senate Bill No. 54:

A bill to be entitled An Act relating to the removal of a prisoner to jail of another county, and to repeal Section 6209 Revised General Statutes of Florida.

Which was read the first time by title only and referred to the Committee on Judiciary "A".

By Senator Beall—

Senate Bill No. 55:

A bill to be entitled An Act relating to the time of entry of defaults and decrees pro confesso.

Which was read the first time by title only and referred to the Committee on Judiciary "A".

By Senator Beall—

Senate Bill No. 56:

A bill to be entitled An Act relating to witness pay rolls



and to amend Section 1778 (CGL 2829) Revised General Statutes of Florida, entitled "Clerk Not Entitled to Fee."

Which was read the first time by title only and referred to the Committee on Judiciary "A".

By Senator Whitaker—

Senate Bill No. 57:

A bill to be entitled An Act continuing the operation and effect of Chapter 19248, Laws of Florida, 1939 until passage by the Legislature of a law putting into effect the State Parole Commission contemplated under Article 16, Section 32, of the Constitution of Florida, and further providing for the payment of the expresses accrued and to accrue incidental thereto.

Which was read the first time by title only.

Senator Whitaker moved that the rules be waived and Senate Bill No. 57 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 57 was read the second time by title only.

Senator Whitaker moved that the rules be further waived and Senate Bill No. 57 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 57 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Hinely, Horne, Housholder, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor Ward, Whitaker, Wilson—36.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered to be certified to the House of Representatives immediately, by waiver of the rule.

By Senator Whitaker—

Senate Bill No. 58:

A bill to be entitled An Act authorizing and empowering the State Road Department of Florida and Hillsborough County, Florida, to contract for the leasing, rental, or purchase by the State Road Department of Florida from Hillsborough County, Florida, and to provide for the control, supervision, maintenance, and operation by the State Road Department for said Hillsborough County, Florida, of the Twenty-Second Street Bridge and Causeway and adjacent connecting roads embraced in East Tampa Special Road and Bridge District Number Two in Hillsborough County, Florida.

Which was read the first time by title only and referred to the Committee on Public Roads and Highways.

By Senator Whitaker—

Senate Bill No. 59:

A bill to be entitled An Act creating a State Board of Old Age Assistance and County Boards of Old Age Assistance; prescribing their powers and duties; providing that said State Board shall be the agency for the United States, State, County and Municipal Governments in the administration of funds for old age assistance; authorizing the State Board to promulgate rules and regulations necessary to carry out the intent and purposes of this Act; repealing all laws or parts of laws in conflict herewith; making appropriations to carry out the purposes of this Act; and fixing the qualifications of persons entitled to monetary assistance under this Act.

Which was read the first time by title only and referred to the Committee on Welfare and the Committee on Appropriations, jointly.

By Senator King—

Senate Bill No. 60:

A bill to be entitled An Act to promote the safety, care, comfort, convenience, proper accommodation and transportation of passengers by railroad in the operation of sleeping and parlor cars within the State of Florida; to provide for the custody or care of such cars by an employee or an authorized agent of the firm or corporation owning or operating the same having the rank and position of Pullman Conductor.

Which was read the first time by title only and referred to the Committee on Transportation and Traffic.

By Senator Cooley—

Senate Bill No. 61:

A bill to be entitled An Act providing that no policy of life insurance shall be issued without a complete medical examination of the health of the applicant; providing that a report in duplicate shall be made by the examining doctor, and providing that a copy of such medical report shall be made a part of the application for insurance; and providing that if a medical examination is not made as provided, that the company issuing such life insurance policy may not defend on the ground that the insured was not in good health at the time of the issuance of the policy; providing when this Act shall take effect; providing that if any part of this Act shall be held unconstitutional, the remainder shall not be affected thereby; repealing all laws and parts of laws in conflict herewith.

Which was read the first time by title only and referred to the Committee on Insurance.

By Senator Cooley—

Senate Bill No. 62:

A bill to be entitled An Act to amend Section 10 of Chapter 18285, Laws of Florida, 1937, as amended, by substituting therefor an amended Section 10, providing that the State Welfare Board, and each District Board, subject to the provisions of Section 2 of said Chapter 18285, Laws of Florida, 1937, as amended, shall hire its own employees, prescribe their duties, and fix their salaries; that all appointments made by the several district boards under the terms of said Act shall be subject to the approval of the State Welfare Board; stating that it shall be the policy of each District Board in selecting and the State Board in approving such selections to have such District Board employees selected from the district where such employees are to serve where such are available and qualified; prohibiting Federal, State and County or municipal officers from serving as a State or District Board member, officer or employee; requiring the State Board to establish a merit system covering all State and district personnel engaged in the administration of said Act; giving the State Board authority to establish, promulgate and enforce necessary rules and regulations in connection with the maintenance of such merit system; allowing the State Board to exempt from the operation of such merit system certain specified board members or employees; and providing for the exemption from additional examination of any person who, has received a permanent appointment under the merit system established by the State Welfare Board and in existence as of the effective date of this Act; repealing all laws in conflict herewith; and providing for the effective date hereof.

Which was read the first time by title only and referred to the Committee on Welfare.

By Senator Cooley—

Senate Bill No. 63:

A bill to be entitled An Act to amend Chapter 18285, Laws of Florida, 1937, as amended, by adding thereto a section defining the terms used in said Act and amending Section 2 of said Act by deleting therefrom the definition of the term "social welfare"; repealing all laws in conflict therewith; and providing for the effective date hereof.

Which was read the first time by title only and referred to the Committee on Welfare.

By Senator Beall—

Senate Bill No. 64:

A bill to be entitled An Act to amend Section 10 of Chapter 11865, of the Laws of Florida, Acts of 1927, entitled "An Act amending Sections 1, 2, 3, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 27, 28, 29, 30, 31, 32, and 33, of Chapter 10028, Acts of 1925, Laws of Florida, relating to Building and Loan Associations."

Which was read the first time by title only and referred to the Committee on Banking and Building and Loans.

By Senator Beall—

Senate Joint Resolution No. 65:

A joint resolution proposing to amend Article IX of the Constitution of the State of Florida by adding a new section thereto to be known as Section 12, vesting certain powers in the Legislature of Florida to promote forestation and reforestation and to prescribe a method or methods of taxation in connection therewith.

**BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:**

That Article IX of the Constitution of the State of Florida relating to taxation be and it is hereby amended by adding thereto a new section to be known as Section 12 and, as amended and agreed to, shall be submitted to the electors of the State of Florida at the next general election to be held on the first Tuesday after the first Monday in November, A. D., 1942, for ratification or rejection.

Said Section 12 of Article IX shall read as follows, to-wit:

"SECTION 12. For the purpose of encouraging the forestation and reforestation of wild lands in this State and to increase, conserve and develop the forest resources of Florida, the Legislature shall have the power to prescribe such methods of taxation, whether an ad valorem tax or a yield tax, as will develop and conserve the forest resources of this State, including the power to vest in a State Board of Commission authority to enter into contracts for the forestation or reforestation of specific lands with the owners thereof, upon such terms and for and during such limited periods of time as said Board of Commission may determine, whereby the assessed valuation of lands affected by such contracts shall be fixed for ad valorem taxation or, in lieu thereof, whereby a yield tax upon the timber or other forest products to be taken from such lands shall be paid by the owner at the end of or periodically during such term of years; but the net proceeds of any such ad valorem or yield tax shall be paid to the county in which the lands are situated, to be applied as may be provided by law."

Which was read the first time in full and referred to the Committee on Constitutional Amendments.

By Senator Whitaker—

Senate Bill No. 66:

A bill to be entitled An Act exempting machines used for vending drinking cups, postage stamps and also coin operated machines or devices, such as parcel checking lockers and toilet locks, used in railroad, bus, airport stations, depots and hotels, boarding houses, restaurants and rest rooms for the convenience of or in rendering service to the public from any and all license taxes.

Which was read the first time by title only and referred to the Committee on Judiciary "C."

By Senator Adams (25th)—

Senate Bill No. 67:

A bill to be entitled An Act to authorize and direct the Board of State Institutions of the State of Florida to establish a home for the care and treatment of incurable children who are without finances, and provide an appropriation therefor.

Which was read the first time by title only and referred to the Committee on State Institutions and the Committee on Appropriations, jointly.

By Senators Parker, Hinely, Butler, Shepherd, King, Graham, Adams (30th), Beall and Wilson—

Senate Joint Resolution No. 68:

A Joint Resolution proposing an Amendment to Article IX of the Constitution of the State of Florida by adding thereto an additional section to be known as Section 12 of said Article IX creating a State board of administration; prescribing its powers and duties, and providing for the use of proceeds of two cents per gallon of the gasoline or other motor fuel tax for (1) the payment and retirement of all outstanding bonds issued by any county or special road and bridge district prior to first day of July, A. D. 1931, to build roads, highways or bridges, and for (2) public highway purposes.

**BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:**

SECTION 1. That the following Amendment to Article IX of the Constitution of the State of Florida relating to Taxation and Finance by adding thereto an additional section to be known as Section 12 of said Article IX creating a State Board of Administration; prescribing its powers and duties, and providing for the use of proceeds of two cents per gallon of the gasoline or other motor fuel tax for (1) the payment and retirement of all outstanding bonds issued by any county or special road and bridge district prior to first day of July, A. D. 1931, to build roads, highways or bridges, and for (2) public highway purposes, is hereby agreed to and shall be submitted to the electors of the State of Florida for ratification or rejection at the next General Election to be held in 1942, as follows:

"Section 12 (a). That beginning January 1st, 1943, and for fifty (50) years thereafter, the proceeds of two (2c) cents per gallon of the total tax levied by State law upon gasoline and other like products of petroleum, now known as the Second Gas Tax, and upon other fuels used to propel motor vehicles, shall as collected be placed monthly in the 'State Roads Distribution Fund' in the State Treasury and divided into three (3) equal amounts, and each amount shall be distributed monthly among the several counties according to the distributive factors of area, population and contributions to cost of State Road construction as defined in Chapter 15,659, Laws of Florida, Acts of 1931, and such funds so distributed shall be administered by the State Board of Administration as hereinafter provided.

(b) The Governor as chairman, the State Treasurer, and the State Comptroller shall constitute a body corporate to be known as the 'State Board of Administration,' which board shall succeed to all the power, control and authority of the statutory Board of Administration. Said board shall have, in addition to such powers as may be conferred upon it by law, the management, control and supervision of the proceeds of said two (2c) cents of said taxes and all monies and other assets which on the effective date of this amendment are applicable or may become applicable to the bonds of the several counties of this State, or any special road and bridge district, or other special taxing district therein, issued prior to July 1, 1931, to build roads, highways and bridges. Said board shall assume the statutory powers of Boards of County Commissioners and Bond Trustees of special road and bridge districts, and other special taxing districts with regard to said bonds, (except that the power to levy ad valorem taxes is expressly withheld from said board) and shall take over all papers, documents and records concerning such bonds. Said board shall have the power from time to time to issue refunding bonds to mature within the said fifty (50) year period, in exchange for any outstanding bonds, whether original or refunding, and to secure them by a pledge of anticipated receipts from such gasoline or other fuel taxes to be distributed to such county as herein provided, but not at a greater rate of interest than the bonds now bear; and to issue, sell or exchange on behalf of any county for the sole purpose of retiring said bonds issued by such county, or special road and bridge district, or other special taxing district therein, gasoline or other fuel tax anticipation certificates bearing interest at not more than three (3) percent per annum in such denominations and maturing at such time within the fifty (50) year period as the board may determine. In addition to exercising the powers now provided by statute for the investment of sinking funds, said board may use the sinking funds of said bonds of any county or special road and bridge district, or other unit hereunder, to purchase the matured or maturing participating bonds of any other county or any other special road and bridge district, or other special taxing district therein, provided that as to matured bonds, the value thereof as an investment shall be the price paid therefor, which shall not exceed the par value plus accrued interest, and that said investment shall bear interest at the rate of three (3) per cent per annum.

(c) The said board shall annually use the funds in each county account, first, to pay current principal and interest maturities, if any, of the bonds of such county or special road and bridge district, or other special taxing district therein; second, to establish a sinking fund account to meet future requirements of said bonds and gasoline or other fuel tax anticipation certificates where it appears the anticipated income for any year or years will not equal scheduled payments thereon; and third, any remaining balance out of the proceeds of said two (2c) cents of said taxes shall periodically during the year be remitted by said board as follows: Eighty (80%) percent to the State Road Department for the construction or reconstruction of State Roads and bridges within the county, or for the lease or purchase of bridges connecting State highways within the county, and twenty (20%) percent to the Board of County Commissioners of such county for use on roads and bridges therein.

(d) Said board shall have the power to make and enforce all rules and regulations necessary to the full exercise of the powers hereby granted and no legislation shall be required to render this amendment of full force and operating effect from and after January 1st, 1943. The Legislature shall not enact any law having the effect of withdrawing the proceeds of said two (2c) cents of said taxes from the operation of this amendment. The board shall pay refunding expenses

and other expenses for services rendered specifically for, or which are properly chargeable to, the account of any county from funds distributed to such county; but general expenses of the board for services rendered all the counties alike shall be prorated among them and paid out of said funds on the same basis said tax proceeds are distributed among the several counties; provided, report of said expenses shall be made to each Regular Session of the Legislature, and the Legislature may fix the expenses of the board."

Which was read the first time in full and referred to the Committee on Constitutional Amendments.

By Senators Parker, Hinely, Butler, Shepherd, King, Graham, Adams (30th), Beall, and Wilson—

Senate Bill No. 69:

A bill to be entitled An Act to amend Section 1 of Chapter 15659, Laws of Florida, Acts of 1931, entitled: "An Act relating to taxation, levying and imposing an excise tax on gasoline and other like products of petroleum in addition to other taxes thereon; levying and imposing a license tax on every dealer in gasoline or any other like product of petroleum; providing for the report of sale of such commodities, and the collection and payment of such taxes; creating special funds for the reception of such taxes; providing the purposes of such taxes, and for the deposit, appropriation and disposition of the proceeds derived from such taxes, and prescribing the duties of certain officials with reference thereto, and declaring certain roads to have been and to be built for State purposes and as being State undertakings; repealing Chapter 14575, Laws of Florida, Acts of 1929, relating to the subject of gasoline taxes; repealing Chapter 14573, Laws of Florida, Acts of 1929, relating to the subject of gasoline taxes, and raising special revenue for educational purposes, and all laws in conflict with this Act; providing for the enforcement of this Act and penalties for violation hereof," by providing that the first gas tax shall hereafter be four cents and the second gas tax shall hereafter be two cents; and also providing for the distribution of said two cents second gasoline tax and appropriating certain percentages of said second gas tax funds for public road construction and maintenance purposes to be used by the State Road Department and by the Counties.

Which was read the first time by title only and referred to the Committee on Finance and Taxation.

By Senators Parker, Hinely, Butler, Shepherd, King, Graham, Adams (30th), Beall, and Wilson—

Senate Bill No. 70:

A bill to be entitled An Act to provide for the refunding to each County of the State of Florida of all moneys which have been furnished, advanced, paid out, distributed or expended during the period of time extending from January 1, 1915, to the effective date of this Act, in the construction or building by any such County or Counties or any Special Road and Bridge District or other Special Taxing District, of any road or roads which have heretofore been designated a State Road, note including any amounts certified as credits to the several Counties pursuant to Chapter 15659, Laws of Florida, Acts of 1931, declaring such roads to have been built for State purposes and as being State undertakings, making an appropriation from the proceeds of the second gas tax levied and assessed by said Chapter 15659, for the cost of the audit provided for herein and for the refunding to such Counties of the said sum above mentioned; providing the method of distribution and use of the credits hereunder; and prescribing the duties of certain officials in carrying out the provisions of this Act.

Which was read the first time by title only and referred to the Committee on Public Roads and Highways and the Committee on Finance and Taxation jointly.

By Senators Parker, Hinely, Butler, Shepherd, King, Graham, Adams (30th), Beall, and Wilson—

Senate Bill No. 71:

A bill to be entitled An Act to amend Section 14 of Chapter 14486, Laws of Florida, Acts of 1929, entitled "An Act providing for depository of sinking funds and delinquent taxes and other moneys for road and bridge indebtedness of the counties and special road and bridge districts of the State or otherwise, authorizing the issuance of refunding bonds by said counties and special road and bridge districts, and providing for the creation of a Board of Administration and the disbursements of such funds to pay such indebtedness and the use of any surplus in any County for the construction

and maintenance of roads and bridges," as amended by Chapter 15891, Acts of 1933, Laws of Florida, which amendment provided for certain additional, alternative and supplementary duties and powers of the State Board of Administration in connection with its functions as a fiscal agent for the several counties of the State of Florida with reference to road district, road and bridge district, special road and bridge district, and bridge district, and County road bonds, and bond issues subject to said chapter, as amended by Chapter 19279, Laws of Florida, Acts of 1939, which amendment provided for the disposition of any surplus in any County account for public highway construction and maintenance purposes and/or for the lease or purchase of certain toll or other bridges; and limiting the use of second gas tax funds placed to the credit of the several counties administered by the State Board of Administration, and to amend Section 17 of said Chapter 14486, Laws of Florida, Acts of 1929, and providing by this amendment to said sections for the manner of applying gas tax and other moneys to the payment of the road and bridge indebtedness of the counties and special road and bridge districts of the State or otherwise: providing for the remission annually of any surplus gas tax or other moneys except sinking funds in any County account for use by the State Road Department and the County for public road purposes; and providing for the investment of sinking funds of said counties in the matured or unmatured road and bridge bonds of any of said counties and special road and bridge districts

Which was read the first time by title only and referred to the Committee on Public Roads and Highways and the Committee on Finance and Taxation, jointly.

By Senator Shands—

Senate Bill No. 72:

A bill to be entitled An Act making appropriations for the construction, operation and maintenance of an Industrial Engineering Experiment Station to be operated for the advancement and improvement of the industries of Florida.

Which was read the first time by title only and referred to the Committee on Appropriations.

By Senator Horne—

Senate Bill No. 73:

A bill to be entitled An Act to provide for the protection of animals pending the trial of their owners or possessors for the cruel or inhuman treatment of such animals as defined by the laws of Florida.

Which was read the first time by title only and referred to the Committee on Judiciary "B."

By Senators Clarke and Smith—

Senate Bill No. 74:

A bill to be entitled An Act to require all persons licensed to practice chiropractic in the State of Florida to renew annually their licenses with the State Board of Chiropractic Examiners; to provide for the conditions upon which renewal of licenses shall be issued and requirements prerequisite to the granting of such renewal of licenses; to provide for notice to be given licensees under said board of the provisions and requirements of this Act; to provide for the forfeiture of licenses to practice chiropractic in the State of Florida for failure to comply with the provisions of this Act, and to prescribe requirements for the restoration of such forfeited licenses.

Which was read the first time by title only and referred to the Committee on Public Health.

By Senators Clark and Smith—

Senate Bill No. 75:

A bill to be entitled An Act to amend Section 3 of Chapter 17764 of the Acts of 1937, the same being Section 12 of Chapter 9330, Laws of Florida, Acts of 1923, the same being Section 3446 of the Compiled General Laws of Florida for 1927; by redefining chiropractic; by adding additional regulations for applicants to practice chiropractic, and regulating their examination by the Florida State Board of Chiropractic Examiners, and providing that chiropractors may have the right to use the work and products of State, county and municipal laboratories, and by defining the scope of the practice of chiropractic and instruction and care of the sick.

Which was read the first time by title only and referred to the Committee on Public Health.

By Senator King—

Senate Bill No. 76:

A bill to be entitled An Act for the relief of Woodrow W.

Cottingham, a resident of Polk County, Florida, providing an appropriation for injuries and damages sustained by him while a member of the One Hundred and Sixteenth Field Artillery, Florida National Guard, with the rank of sergeant; providing for the State Treasurer and the State Comptroller of the State of Florida to draw and cause to be drawn warrant in payment of the said appropriation herein provided for and providing for the enforcement of this Act.

Which was read the first time by title only and referred to the Committee on Pensions and Claims.

By Senator Drummond—

Senate Bill No. 77:

A bill to be entitled An Act to provide, upon payment in cash of all taxes due the State of Florida, for the cancellation and/or release of all State and/or County Taxes and/or Special District Taxes held or owned by the State and/or Holmes County, on certain lands in Bonifay, Holmes County, Florida, more particularly described as follows: Lots 11 and 12, Block 121, located in Bonifay, Holmes County, Florida, according to the map of Bonifay drawn by G. W. Banfill, on file in the office of the Clerk of the Circuit Court of Holmes County, Florida.

Which was read the first time by title only.

Senator Drummond moved that the rules be waived and Senate Bill No. 77 be read the second time by title only.

Which was agreed to by a two-third vote.

And Senate Bill No. 77 was read the second time by title only.

Senator Drummond moved that the rules be further waived and Senate Bill No. 77 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 77 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Housholder, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—36.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered to be certified to the House of Representatives immediately, by waiver of the rule.

By Senators Wilson, Collins, and Shands—

Senate Bill No. 78:

A bill to be entitled An Act relating to the reduction of fire hazards on buildings owned and controlled by the State Board of Education, Board of Commissioners of State Institutions or the State Board of Control, and authorizing the State Treasurer to advance surplus funds in the State Fire Insurance Fund for the accomplishment thereof and making appropriations therefor.

Which was read the first time by title only and referred to the Committee on State Institutions.

By Senators Perdue and Cooley (By request)—

Senate Bill No. 79:

A bill to be entitled An Act providing that no Motor Vehicle shall be offered for sale, sold or exchanged which has been in Taxi Cab, U-Drive-It or For Hire service unless the certificate of title has stamped upon it that such Motor Vehicle has been in such service and unless a notice is also affixed to the windshield of such Motor Vehicle that it has been in such service, and providing penalties for the violation hereof.

Which was read the first time by title only and referred to the Committee on Motor Vehicles.

By Senators Perdue and Cooley (By request)—

Senate Bill No. 80:

A bill to be entitled An Act fixing the fees and taxes to be collected by the Motor Vehicle Commissioner upon the registration or registration of automobiles for private use, and repealing all laws or parts of laws in conflict herewith and providing when this Act shall take effect.

Which was read the first time by title only and referred to the Committee on Motor Vehicles.

By Senators Perdue and Cooley (By request)—

Senate Bill No. 81:

A bill to be entitled An Act providing for the registration

and licensing of manufacturers, factory branches and factory representatives of Motor Vehicles; setting forth reasons for the denial suspension or revocation of licenses; providing for the denial suspension or revocation of such licenses; authorizing the Motor Vehicle Commissioner to make rules and regulations and providing for the enforcement of this Act and penalties for the violation thereof.

Which was read the first time by title only and referred to the Committee on Motor Vehicles.

By Senator Horne—

Senate Bill No. 82:

A bill to be entitled An Act providing for the establishment and quieting of title to real property held in continued adverse possession, either under color of title or without color of title, for a period of seven years.

Which was read the first time by title only and referred to the Committee on Judiciary "C".

By Senators Perdue and Cooley (By request)—

Senate Bill No. 83:

A bill to be entitled An Act relating to and fixing the liability of persons for the negligent or wrongful operation of motor vehicles within the State of Florida.

Which was read the first time by title only and referred to the Committee on Judiciary "A".

By Senators Perdue and Cooley (By request)—

Senate Bill No. 84:

A bill to be entitled An Act providing for the recording in the Office of the Motor Vehicle Commissioner of a notice of all liens for purchase money or as security for debts on motor vehicles; providing that no such lien shall be enforceable unless such notice has been recorded in such office; authorizing the Motor Vehicle Commissioner to make rules and regulations for the enforcement of this Act and prepare forms and books for such recording; providing the amount of fees to be charged; providing for the satisfaction of such liens; providing for the cancellation of such liens upon payment and penalties for failure to cancel such liens upon payment.

Which was read the first time by title only and referred to the Committee on Motor Vehicles.

By Senator Adams (25th)—

Senate Bill No. 85:

A bill to be entitled An Act authorizing each of the Circuit Judges and State Attorneys of the Fourteenth Judicial Circuit of Florida to employ a stenographer; fixing their term of employment; and providing for payment of compensation to such stenographers out of the appropriation for the necessary and regular expenses of the Judicial Department.

Which was read the first time by title only and referred to the Committee on Judiciary "C" and the Committee on Appropriations, jointly.

By Senator Johnson—

Senate Bill No. 86:

A bill to be entitled An Act to amend Chapter 16848, Laws of Florida, Acts of 1935 being entitled "An Act to provide for the relief of the Public Free Schools of the State of Florida by raising revenue for the County School Fund by levying and imposing a tax upon the privilege of operating a store or stores within this State, to classify such stores for the purpose of such taxation and of graduating the tax in accordance with the number of stores operated under a single ownership, management or control, to declare the public policy on which this Act is founded; to provide for the administration and enforcement of this Act and for the promulgation and enforcement of rules and regulations to facilitate such enforcement; to provide for the creation and enforcement of a lien upon the property of persons liable for the payment of such tax; to provide penalties for the violation of this Act and of rules and regulations lawfully made under the authority thereof; to repeal conflicting laws, expressly but on condition including Chapter 16071, Laws of Florida, Acts of 1933; and to appropriate the revenues derived hereunder; to repeal subdivision "B" of Section 4 of Chapter 16848, Laws of Florida Acts of 1935; providing that such repeal of said subdivision "B" shall not excuse or relieve any person from payment of gross receipts taxes under said Chapter 16848, Laws of Florida, Acts of 1935, accruing prior to the effective date of this Act; repealing all laws in conflict herewith, and providing when this Act shall take effect.

Which was read the first time by title only and referred to the Committee on Finance and Taxation.

By Senator McKenzie—

Senate Bill No. 87:

A bill to be entitled An Act to declare, designate and establish a certain State road.

Which was read the first time by title only and referred to the Committee on Public Roads and Highways.

By Senators Kanner, Whitaker, Adams (30th), Gideons and Shuler—

Senate Joint Resolution No. 88:

A Joint Resolution proposing an Amendment to the Constitution of the State of Florida to be known as Section 3 of Article XVII, relating to Amendments.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That the following amendment, to be known as Section 3 of Article XVII of the present Constitution be and the same is hereby agreed to and shall be submitted to the electors of the State at the general election of Representatives to be held in the year A. D. 1942, to-wit:

SECTION 3. If at any regular or special or extra session, the Legislature, by vote of two-thirds of all members elected to each House, shall determine that an emergency requiring an early decision by the electors of the State exists, an amendment to this Constitution dealing with the subject matter of such emergency may be proposed, and if the proposed amendment be agreed to by a two-thirds vote of all the members elected to each House, the same shall be entered upon their respective journals with the yeas and nays thereon. Thereupon, at the same session, the Legislature shall provide for a special election to be held not less than thirty nor more than sixty days after adjournment and for publication of notice thereof, at which special election the proposed amendment shall be submitted to the electors of the State for approval or rejection; provided, that if a general election of Representatives is to occur within said period, such amendment shall be submitted to the electors at such general election. If a majority of the electors voting upon the proposed amendment shall adopt the amendment, the same shall become a part of this Constitution. This amendment shall not be held to supercede or in anywise affect any existing provision of the Constitution relating to amendments, but shall be regarded as an additional method of amendment thereto.

Which was read the first time in full and referred to the Committee on Constitutional Amendments.

By Senator Ward—

Senate Bill No. 89:

A bill to be entitled An Act assenting to and accepting the provisions of An Act of Congress approved July 11, A. D. 1916, and all amendments thereto, the same being entitled, "An Act to provide that the United States Government shall aid the States in the construction of rural post roads, and for other purposes," and providing for the apportionment and appropriation of funds to meet the same.

Which was read the first time by title only and referred to the Committee on Public Roads and Highways.

By Senator Kanner (By request)—

Senate Bill No. 90:

A bill to be entitled An Act amending Section 1285 revised General Statutes of the State of Florida, as amended, and setting the motor vehicle license fee for motor vehicles used exclusively for the transportation of pupils to and from school; repealing all laws in conflict herewith and setting the time for which this Act shall become effective.

Which was read the first time by title only and referred to the Committee on Motor Vehicles.

By Senator Collins—

Senate Bill No. 91:

A bill to be entitled An Act to Amend Section 4810 of the Compiled General Laws of Florida, 1927, being Chapter 11885 of the General Acts of the 1927 Legislature, as Amended by Chapter 14695 of the General Acts of the 1931 Legislature, Fixing the Time for Holding the Terms of the Circuit Courts in the Second Judicial Circuit of Florida.

Which was read the first time by title only.

Senator Collins moved that the rules be waived and Senate Bill No. 91 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 91 was read the second time by title only.

Senator Collins moved that the rules be further waived and Senate Bill No. 91 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 91 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Housholder, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—36.

Nays—None

So the bill passed, title as stated, and the action of the Senate was ordered to be certified to the House of Representatives immediately, by waiver of the rule.

By Senators Collins, Shands, Graham, Smith, Kanner, Price, King and Kelly—

Senate Bill No. 92:

A bill to be entitled An Act to define and to regulate the practice of Dentistry and Dental Hygiene in the State of Florida and to provide penalties for the violation of any of the provisions of this Act.

Which was read the first time by title only and referred to the Committee on Public Health.

By Senator King—

Senate Bill No. 93:

A bill to be entitled An Act for the relief of the Standard Fire Insurance Company of Hartford, Connecticut.

Which was read the first time by title only and referred to the Committee on Pensions and Claims.

By Senator Lewis—

Senate Bill No. 94:

A bill to be entitled An Act redesignating and re-establishing Road Number 84; authorizing and empowering the State Road Department of Florida to construct and maintain said road as redesignated; and providing that said State Road Number 84 as redesignated and re-established shall be known as the Hays Lewis Memorial Highway.

Which was read the first time by title only.

Senator Lewis moved that the rules be waived and Senate Bill No. 94 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 94 was read the second time by title only.

Senator Lewis moved that the rules be further waived and Senate Bill No. 94 be read the third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 94 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Housholder, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—36.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered to be certified to the House of Representatives immediately, by waiver of the rule.

By Senators Kelly, Shepherd, Smith, King, Whitaker, Cooley, Beall, Housholder, Cliett and Lindler—

Senate Bill No. 95:

A bill to be entitled An Act to abolish the Office of State Labor Inspector for the State of Florida.

Which was read the first time by title only and referred to the Committee on Labor and Industry.

By Senators Kelly, Shepherd, Smith, King, Whitaker, Cooley, Beall, and Housholder—

Senate Bill No. 96:

A bill to be entitled An Act creating a Department of Labor, providing for the personnel; providing for appointment of



the Secretary of Labor; defining the jurisdiction of said Department; providing for employment of assistants; providing for payment of salaries and expenses; providing for certain records and reports, and repealing all laws in conflict.

Which was read the first time by title only and referred to the Committee on Labor and Industry.

By Senators Kelly, Shepherd, King, Whitaker, Cooley, Beall, Housholder, Folks and Lindler—

Senate Bill No. 97:

A bill to be entitled An Act prescribing certain representations and stipulations to be contained in contracts entered into by the State and its political subdivisions; prohibiting child labor in the execution of such contracts; prescribing maximum hours, prevailing wages, sanitary and safe conditions in such work; providing for the administration by the Florida Industrial Commission, and providing for penalties for the violation thereof:

Which was read the first time by title only and referred to the Committee on Labor and Industry.

By Senator Beall—

Senate Bill No. 98:

A bill to be entitled An Act relating to the proceeds from the sale of lands under Chapter 18296, Laws of Florida, 1937, making the same available to the General Revenue Fund and providing for the transfer thereof; and appropriating and earmarking same for the payment of Legislature Expense and Confederate Pensions.

Which was read the first time by title only and referred to the Committee on Finance and Taxation.

By Senators Whitaker and Horne—

Senate Bill No. 99:

A bill to be entitled An Act to prohibit the payment of compensation to officers required by the Constitution or Laws of this State to be appointed by the Governor and confirmed by the Senate, unless and until any officer appointed shall have been confirmed by the Senate; prohibiting any officer from drawing or paying warrants for compensation prohibited by this Act to be paid; prescribing penalties for the violation of this Act and making certain exceptions in cases of appointments made between sessions of the Senate which could not have been anticipated, made and confirmed before the vacancy occurred.

Which was read the first time by title only and referred to the Committee on Judiciary "C".

By Senator Horne—

Senate Bill No. 100:

A bill to be entitled An Act to provide for the punishment of operators of motor vehicles in this State who hit or injure any dog and depart from the scene of the accident without rendering such assistance as will safeguard the life of such dog.

Which was read the first time by title only and referred to the Committee on Judiciary "B".

By Senator Adams (30th)—

Senate Bill No. 101:

A bill to be entitled An Act to provide for and to authorize leaves of absence to State and County Officials inducted into military and naval service.

Which was read the first time by title only and referred to the Committee on Judiciary "A".

By Senators Whitaker, Beall and Horne—

Senate Bill No. 102:

A bill to be entitled An Act to amend Section 13 of Chapter 18015, Acts of 1937 entitled "An Act regulating and taxing the manufacture, distribution and sale of beverages containing more than one per centum of alcohol by weight, amending Sections 7 and 9 of Chapter 16774 of the Acts of 1935, entitled "An Act regulating and taxing the manufacture, distribution and sale of beverages containing more than one per centum of alcohol, creating and providing for a State Beverage Department, providing penalties for the violation of this Act and repealing existing laws concerning said beverages"; providing for additional Supervisors of the Beverage Department; providing for the expenses of the Beverage Department; appropriating the monies collected under the Beverage Laws and providing penalties for the violation of this Act."

Which was read the first time by title only.

Senator Beall moved that the rules be waived and Senate Bill No. 102 be placed on the Calendar of Bills on second reading without reference.

Which was not agreed to.

And Senate Bill No. 102 was referred to the Committee on Finance and Taxation.

By Senator Ward—

Senate Bill No. 103:

A bill to be entitled An Act to prohibit live stock from running or roaming at large within the following territorial limits of Lee County in the State of Florida, and providing for the enforcement of this Act and for the impounding of live stock found running or roaming at large in said portion of Lee County in the State of Florida, and providing that persons damaged by such live stock running or roaming at large may recover damages therefor and providing a penalty for the violation of the provisions of this Act and for the taking effect of said Act.

Which was read the first time by title only.

Senator Ward moved that the rules be waived and Senate Bill No. 103 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 103 was read the second time by title only.

Senator Ward moved that the rules be further waived and Senate Bill No. 103 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 103 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Housholder, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Taylor, Ward, Whitaker, Wilson—35.

Nays—Senator Smith—1.

So the bill passed, title as stated, and the action of the Senate was ordered to be certified to the House of Representatives immediately, by waiver of the rule.

# MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was received and read:

Tallahassee, Florida,  
April 14, 1941.

Hon. John R. Beacham,  
President of the Senate.  
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

House Bill No. 1:

A bill to be entitled An Act to regulate the purchase of wages, salaries or other compensation for services and the taking of assignments thereof where the consideration for the purchase or assignment shall be \$300 or less, and to provide that such transactions shall, in the application of all laws, civil or criminal, relating to loans, interest charges or usury, be deemed loans secured by such assignments and that the amount by which such assigned compensation shall exceed the amount of the consideration actually paid therefor shall, in the application of such laws, be deemed interest on the loan from the date of the payment for such purchase or assignment until the date such compensation is payable.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Bill No. 1, contained in the above message, was read the first time by title only.

Senator Horne moved that the rules be waived and House Bill No. 1 be read a second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1 was read the second time by title only.

Senator Horne moved that the rules be further waived and

House Bill No. 1 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 1 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Housholder, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—37.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered to be certified to the House of Representatives immediately, by waiver of the rule.

By unanimous consent, Senator Horne withdrew Senate Bill No. 17.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,  
April 15, 1941.

Hon. John R. Beacham,  
President of the Senate.  
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

House Memorial No. 2:

A Memorial to the Congress of the United States of America, petitioning the immediate passage of the General Welfare Act now pending before Congress and known and designated as House Resolution No. 1410.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Memorial No. 2, contained in the above message, was read the first time in full.

Senator Parker moved that the rules be waived and House Memorial No. 2 be read a second time in full.

Which was agreed to by a two-thirds vote.

And House Memorial No. 2 was read the second time in full.

The question was put on the adoption of the Memorial.

And House Memorial No. 2 was adopted, and the action of the Senate was ordered to be certified to the House of Representatives immediately, by waiver of the rule.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,  
April 14, 1941.

Hon. John R. Beacham,  
President of the Senate.  
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

House Bill No. 138:

A bill to be entitled An Act abolishing the Board of Bond Trustees of Bradford County, Florida, as created by Chapter 8622, Laws of Florida, 1921, or by any other law, and investing the Board of County Commissioners of Bradford County, Florida, with all the powers, duties and privileges now exercised by or imposed upon said Board of Bond Trustees, and vesting the title to all property now held in the name of the said Board of Bond Trustees of Bradford County, Florida, in the Board of County Commissioners of Bradford County, Florida.

Proof of Publication attached.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Bill No. 138, contained in the above message, was read the first time by title only.

Senator Maines moved that the rules be waived and House Bill No. 138 be read a second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 138 was read the second time by title only.

Senator Maines moved that the rules be further waived and House Bill No. 138 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 138 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—38.

Nays—None.

So the bill passed title as stated, and the action of the Senate was ordered to be certified to the House of Representatives immediately, by waiver of the rule.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,  
April 15, 1941.

Hon. John R. Beacham,  
President of the Senate.  
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

House Bill No. 52:

A bill to be entitled An Act to outlaw in the State of Florida the Communist Party, the German-American Bund, and all organizations, groups, or individuals associated therewith who seek to overthrow the Government of the United States by force or violence through the advocacy of criminal anarchy, criminal communism, criminal nazi-ism, and criminal fascism.

And respectfully requests the concurrence of the Senate therein.

Very Respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Bill No. 52, contained in the above message, was read the first time by title only.

Senator Whitaker moved that the rules be waived and House Bill No. 52 be read a second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 52 was read the second time by title only.

Senator Whitaker moved that the rules be further waived and House Bill No. 52 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 52 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Housholder, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Perdue, Price, Rose, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker and Wilson—35.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered to be certified to the House of Representatives immediately, by waiver of the rule.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,  
April 14, 1941.

Hon. John R. Beacham,  
President of the Senate.  
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

House Memorial No. 1:

A MEMORIAL TO CONGRESS REQUESTING THAT THE CONGRESS OF THE UNITED STATES TAKE APPRO-

April 15, 1941

# JOURNAL OF THE SENATE

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**APRIATE STEPS AND ENACT LAWS THAT WILL PROHIBIT THE CALLING OF OR PARTICIPATION IN, STRIKES BY ANY GROUP OF WORKMEN WORKING ON DEFENSE PROJECTS OR IN THE PRODUCTION AND MANUFACTURE OF MATERIALS AND SUPPLIES.**

And respectfully requests the concurrence of the Senate therein.

Very Respectfully,

BEN H. FUQUA.

Chief Clerk House of Representatives.

And House Memorial No. 1, contained in the above message, was read the first time in full and went over under the rule.

## CONSIDERATION OF BILLS AND JOINT RESOLUTIONS ON SECOND READING

### House Bill No. 28:

A bill to be entitled An Act to promote national and state defense by preventing sabotage; to that end to protect property by making criminal certain entries on, injuries to, interferences with and defective workmanship in connection with, property, and attempts, solicitations, and conspiracies to commit such acts; to restrict witnesses' privileges against self-incrimination in proceedings; to provide for questioning and detaining suspected persons; to authorize the closing of, and the restricting of the use of, certain highways; to provide that this act shall not be construed to impair the rights of labor; to suspend inconsistent acts and parts of acts; to prescribe penalties for violations of this Act; providing that this Act shall be in effect until May 15, 1945, and thereafter when the United States is at war.

Was taken up in its order.

Senator McKenzie moved that the rules be waived and House Bill No. 28 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 28 was read the second time by title only.

Senator Whitaker offered the following amendment to House Bill No. 28:

In Section 2, line 8 (typed bill), strike out the words "by death, or"

Senator Whitaker moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator McKenzie moved that the rules be waived and House Bill No. 28, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 28, as amended, was read the third time in full.

Upon the passage of the bill, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—37.

Nays—None.

So the bill passed, as amended, and the action of the Senate was ordered to be certified to the House of Representatives immediately, by waiver of the rule.

### House Bill No. 29:

A bill to be entitled An Act to regulate the manufacture, sale, distribution, use and possession of explosives; to require licenses to manufacture, deal in, and possess explosives, and fees for such licenses; providing for the appointment of a licensing authority, and prescribing its powers and duties; requiring reports and records from manufacturers and dealers in explosives; prohibiting the distribution of explosives to unlicensed persons; providing for the revocation of licenses; providing for an appeal from the decisions of the licensing authority; prescribing penalties for violations of this Act; authorizing the licensing authority to prescribe rules and regulations under this Act; and repealing Acts and parts of Acts inconsistent with this Act.

Was taken up in its order.

Senator McKenzie moved that the rules be waived and House Bill No. 29 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 29 was read the second time by title only.

Senator McKenzie moved that the rules be further waived and House Bill No. 29 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 29 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—37.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered to be certified to the House of Representatives immediately, by waiver of the rule.

### House Bill No. 30:

A bill to be entitled An Act relating to national and State defense; authorizing and empowering the Governor to create a State Defense Council to assist in coordinating State and local activities related to national and State defense; providing for the organization of such Council and for the appointment of its members by the Governor; providing for their qualifications and term of office; authorizing the Council to employ an Executive Director and other assistants and make other expenditures to carry out the purposes of this Act; prescribing the powers and duties of the Council; directing the Council, and county, local, and Regional Defense Councils to utilize existing services and facilities; providing for the creation of County, Local and Regional Defense Councils and for the powers and duties of such Councils, making appropriations to pay the expense of the State Defense Council; and repealing all laws and parts of laws in conflict herewith.

Was taken up in its order.

Senator McKenzie moved that the rules be waived and House Bill No. 30 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 30 was read the second time by title only.

Senator McKenzie moved that the rules be further waived and House Bill No. 30 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 30 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—36.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered to be certified to the House of Representatives immediately, by waiver of the rule.

### House Bill No. 31:

A bill to be entitled An Act to establish the Florida Defense Force; authorizing the Governor, while the National Guard of this State is in active Federal service, to organize and maintain the Florida Defense Force in accordance with the National Defense Act and the regulations of the Secretary of War of the United States; providing for the membership of such force and its organization under rules and regulations prescribed by the Governor; providing for the pay and allowances of members of such force; authorizing the Governor to requisition arms and equipment and to make available to such force the facilities of State armories and other State property; providing for the calling out of such force; providing that such force shall not be required to serve outside of Florida except on certain conditions; granting permission to military forces of other States and the United States to continue pursuit into this State; provided that certain civil groups shall not be enlisted in the Florida Defense Force as a unit; providing for the qualifications and disqualifications of members of such force; providing for the term of enlistment and commission in such force; pro-

viding that the Articles of War of the United States shall be in effect when such force is in active service; providing for freedom from arrest and jury duties of members of such force; providing for the discharge of such force; providing for the payment of expenses in carrying out the provisions of this Act, and repealing all laws and parts of laws in conflict herewith.

Was taken up in its order.

Senator McKenzie moved that the rules be waived and House Bill No. 31 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 31 was read the second time by title only.

Senator McKenzie moved that the rules be further waived and House Bill No. 31 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 31 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Ward, Whitaker, Wilson—35.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered to be certified to the House of Representatives immediately, by waiver of the rule.

By permission the following Memorial was introduced:

By Senator Shepherd—

Senate Memorial No. 6:

TO THE HONORABLE FRANKLIN D. ROOSEVELT, PRESIDENT OF THE UNITED STATES, AND THE HONORABLE SENATE AND HOUSE OF REPRESENTATIVES IN CONGRESS OF THE UNITED STATES ASSEMBLED:

We, your Memorialists, The Senate and House of Representatives of the State of Florida in Legislative Session assembled, do most respectfully memorialize and petition The President and Congress assembled, as follows:

WHEREAS, the Saint Augustine Historical Program has been organized and undertaken under the leadership and sponsorship of the City of Saint Augustine, the State of Florida, the Carnegie Institution of Washington, the American Council of Learned Societies, the American Philosophical Society, the United States Department of the Interior, National Park Service, and other distinguished national organizations and individuals for the purpose of studying, preserving, and developing the rich materials relating to the Spanish colonization of Saint Augustine and the region of which it was the historical capital; and

WHEREAS, the State of Florida by reason of its discovery by Ponce de Leon and later colonization by Spain became the cradle of American civilization and is today the crossroad of all the Americas; and

WHEREAS, the Saint Augustine Historical Program recognizes the significant contribution of Spain to the processes of American civilization, and provides as its primary purpose for the creation in Saint Augustine and in the region associated with it, through the development of important historic sites and buildings, of a national shrine commemorating this important period in the history of the United States; and

WHEREAS, there is to be established in Saint Augustine, Florida, as a part of the general plan of the Saint Augustine Historical Program a permanent Inter-American Cultural Center to commemorate the founding of Saint Augustine; and

WHEREAS, the cultural relationships between the United States and the other American republics are of paramount importance; and

WHEREAS, the Inter-American Cultural Center and the Saint Augustine Historical Program will afford an opportunity for the advancement of these relationships; and

WHEREAS, such a cultural center in relationship to other elements of the general plan of the Saint Augustine Historical

Program is worthy and deserving of the support and encouragement of the United States; and

WHEREAS, the State of Florida has already gone on record as approving and sponsoring the Saint Augustine Historical Program, and to that end has appropriated Fifty Thousand Dollars for the carrying on of said Program;

NOW THEREFORE, BE IT RESOLVED, that your Memorialists do respectfully memorialize and petition the Congress of the United States, in order to accomplish the foregoing purposes to authorize by suitable legislative enactment the proper agency or agencies of the Federal Government to establish at Saint Augustine Florida, an Inter-American Cultural Center to be maintained permanently thereafter, to commemorate the founding of Saint Augustine, and particularly for the advancement of the cultural relationship between the United States and the other American Republics.

BE IT FURTHER RESOLVED, that copies of this Memorial be immediately transmitted to the President of the United States, and to the Senate and House of Representatives of the United States and to each Senator and Representative in Congress from the State of Florida.

Which was read the first time in full.

Senator Shepherd moved that the rules be waived and Senate Memorial No. 6 be read the second time in full.

Which was agreed to by a two-thirds vote.

And Senate Memorial No. 6 was read the second time in full.

The question was put on the adoption of the Memorial.

Which was agreed to.

And Senate Memorial No. 6 was adopted and the action of the Senate was ordered certified to the House of Representatives.

Senator McKenzie moved that Senate Bill No. 21 be recalled from the Committee on Military Affairs.

Which was agreed to and Senate Bill No. 21 was recalled from the Committee on Military Affairs.

Senator McKenzie moved that the rules be waived and Senate Bill No. 21 be taken up out of its order.

Which was agreed to by a two-thirds vote.

Senate Bill No. 21:

A bill to be entitled An Act to repeal Sections 1425 to 1442 inclusive of the Revised General Statutes of Florida, 1920, being Sections 2079 to 2096 inclusive of the Compiled General Laws of Florida, 1927, and being Chapter 7292, Laws of Florida, Acts of the 1917 Session of the Legislature, entitled, "An Act to provide for the organization, equipment and maintenance of County Guards, to prescribe its powers, duties and regulations, to provide for its maintenance, its terms of service, and prescribing the duties of the County Commissioners in relation thereto."

Was taken up.

Senator McKenzie moved that the rules be further waived and Senate Bill No. 21 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 21 was read the second time by title only.

Senator McKenzie moved that the rules be further waived and Senate Bill No. 21 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 21 was read the third time in full.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Ward, Whitaker and Wilson—35.

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered to be certified to the House of Representatives immediately, by waiver of the rule.

Senator Horne moved that the Senate do now adjourn.

Which was agreed to and the Senate stood adjourned at 4:49 o'clock P. M., until 11:00 o'clock A. M., Wednesday, April 16, 1941.

EXECUTIVE SESSION ANNOUNCEMENTS

The Senate in Executive Session on April 15, 1941, confirmed the following appointments made by the Governor:

W. J. Davis, Harbor Master in and for the Port of Fernandina, Nassau County, Florida, for a term of 2 years from April 5, 1941.

Chester E. Benet, Harbor Master in and for the Port of Saint Augustine, Saint Johns County, Florida, for a term of 2 years from March 7, 1940.

C. C. (Milo) Vega, Jr., Member of the State Racing Commission, in and for Congressional District Number One of the State of Florida, for the unexpired term of Frank Rogers, resigned, ending June 29, 1941; also for a term of 2 years from June 29, 1941.

Louis J. Day, Member of the State Racing Commission, in and for Congressional District Number Two of the State of Florida, for the unexpired term of F M Cone, resigned, ending June 29, 1941; also for a term of 2 years from June 29, 1941.

William Paul Shelley, Jr., Member of the State Racing Commission, in and for Congressional District Number Three of the State of Florida, for the unexpired term of E. A. Williams, resigned, ending June 29, 1941; also for a term of 2 years from June 29, 1941.

A. M. Balfe, Member of the State Racing Commission, in and for Congressional District Number Four of the State of Florida, for the unexpired term of Jos R. Stein, resigned ending June 29, 1941; also for a term of 2 years from June 29, 1941.

S. J. Hilburn, Member of the State Racing Commission, in and for Congressional District Number Five of the State of Florida, for a term of 2 years from June 29, 1941.

J. F. Townsend, Member of the State Road Department, in and for Congressional District Number One of the State of Florida, for the unexpired term of Arthur B. Hale, resigned, ending October 7, 1943.

James R. Stockton, Member of the State Road Department in and for Congressional District Number Two of the State of Florida, for the unexpired term of E. A. McColskey, resigned, ending October 7, 1943.

Thomas A. Johnson, Member of the State Road Department, in and for Congressional District Number Three of the State of Florida, for the unexpired term of J. H. Faulk, resigned, ending September 29, 1942.

H. H. Hector, Member of the State Road Department, in and for Congressional District Number Four of the State of Florida, for the unexpired term of Brooks Bateman, resigned, ending October 7, 1944.

Nixon Butt, Member of the State Road Department, in and for Congressional District Number Five of the State of Florida, for the unexpired term of J. W. Perkins, resigned ending October 7, 1941.

The Senate in Executive Session on April 15, 1941, consented to the suspension and removal from office by the Governor of the following former official:

James K. Jenkins, Notary Public, State of Florida at Large.